

Mt. San Jacinto College
Integrated Course Outline of Record

Form B

Submitted by:	Scot Stirling	Date:	03/12/2020
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Department	Subject	Course Number	Title
Legal Assistant	Legal Assistant LEG	503	Elder Law (formerly LEG-103)

Units/Hours

Each lecture unit requires 1 hour per week of class time, and 2 hours per week of study outside of class.
Each laboratory unit requires 3 hours per week of class time.
Each activity unit requires 2 hours per week of class time and 1 hour per week of study outside of class.

Lecture Units	Total Units
3.00	3.00
Lecture Contact Hours	Total Contact Hours
48.00 - 54.00	48.00 - 54.00
Lecture Homework Hours	
96.00 - 108.00	

Stand Alone:

Program Applicable

AA/AS Degree General Ed Breadth Area(s):

-none-

General Education Justification:

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Maximum Enrollment:	40
Maximum Enrollment Justification:	Justification:
Grading Method:	Letter Grade or P/NP
TOP code:	1402.00*

Can be Taken	1	time(s) for credit (max 4)
		- Visual or Performing Arts course that is required to meet major requirements for UC/CSU

- ☐
- Intercollegiate athletics course
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- ☐
- Academic/vocational competition course

Catalog Description:

(Please do not refer to transferability or degree, certificate, or employment concentration applicability. Please only describe the course).
(75 words or less in gray box below).

This course presents the contemporary world of elder law with a comprehensive legal overview of the most important laws that affect the elderly and how a paralegal functions within the discipline. The multi-disciplinary approach will analyze the legal needs relevant to the elderly and the ethical, social, and physical needs associated with aging.

Schedule Description:

(Please do not refer to transferability or degree, certificate, or employment concentration applicability. Please only describe the course).
(25 words or less in gray box below).

The course covers the various aspects of law that have particular application to the rights and responsibilities of the elderly.

Need for the course:

Elder Law is an elective course within the Legal Assistant Certificate/Degree Program in order to provide the legal assistant student with a broader understanding of the legal needs of the elderly. With the population of elder Americans increasing every day, it is wise and beneficial to provide our community with individuals who are seeking careers related to the needs of the older adult with an in-depth, innovative, informative, and sensitive program to educate and inform these potential care providers of the aging community. Additionally, with this course, the school's paralegal program has the distinct advantage of preparing students for a growing field with new opportunities in a very competitive and expanding field.

Prerequisite(s):

Prerequisites go through a separate approval process. See Forms E1-E6 for details.
(For further clarification, contact the Prerequisite Subcommittee)

-none-

Corequisite(s):

Corequisites go through a separate approval process. See Forms E1-E6 for details.

-none-

Recommend Preparation:

Recommended Preparation goes through a separate approval process. See Forms E1-E6 for details.

-none-

Other Enrollment Criteria:

-none-

Learning Objectives:

(please number each objective and express in behavioral terms)
Upon the completion of the course the student will be able to do the following:

1. Analyze various responses the law has developed to meet the needs of an aging population.
2. Assess the ethical considerations pertinent to assisting the elderly client.
3. Analyze existing programs that will assist the elderly person in obtaining necessary and relevant health care.
4. Prepare a legal plan based on the Age Discrimination in Employment Act and analyze the effects of the Americans with

- Disabilities Act in regards to housing and employment for the elderly.
5. Prepare a legal plan using the various strategies that have been developed to assist people in the orderly distribution of their property upon their deaths.
6. Analyze the concept of "elder abuse," the cause of such abuse, and types of responses that have been enacted to combat this growing problem.

Course Content:

(please number the outline of main topics and subtopics)

- 1. 1) ELDER ABUSE
 - Causes and Kinds
 - Adult Protective Services
 - Miscellaneous Matters
- 2) GUARDIANSHIPS & CONSERVATORSHIPS
 - When to Appoint
 - Petition and Proceedings
 - Duties and Powers of Guardians and Conservators
 - Termination
- 3) WEALTH MANAGEMENT & PROPERTY TRANSFERS
 - Durable Powers of Attorney
 - Survivorship Properties
 - Trusts
 - Insurance
 - Gifts
- 4) PROBATE
 - Intestate
 - Testate
- 5) HEALTH CARE DECISIONMAKING
 - Right to Be Informed
 - Right to Refuse Treatment
 - Competence v. Incompetence
 - Advance Directives and Living Wills
 - Assistance in Dying
- 6) AGE DISCRIMINATION IN EMPLOYMENT
 - Covered Employment
 - Employer Defenses and Exceptions
 - ADEA Lawsuits and Procedures
- 7) SOCIAL SECURITY, RETIREMENT & PENSIONS
 - Social Security
 - Retirement and Pensions
 - Veteran Benefits
 - Supplemental Security Income
- 8) MEDICARE
 - Parts A, B, C, D
- 9) MEDICAID
 - Benefits and Eligibility
- 10) LONG-TERM CARE & INSURANCE
- 11) THE HOME
 - Ownership and Sales
 - Rentals
 - Reverse Mortgages
 - Congregate Living
- 12) PROFESSIONAL RESPONSIBILITY FOR PARALEGALS
 - Duty to Employing Attorney

Duty to the Attorney’s Client

Methods of Instruction:

Methods of instruction may include, but are not limited to the following:

- **Method:** Lecture
Integration: Students will have lecture presentations and classroom discussion on the nature of elder law, healthcare and the elderly, employment and income issues, assessment of housing and the elderly, and the power and duties of conservators and guardians.
- **Method:** Observation and Demonstration
Integration: Students will be divided into smaller learning groups to research and then present findings on the ethical considerations of elder law and to analyze judicial decisions relating to elder law.
- **Method:** Papers and Reports
Integration: Students will interview professionals working in the area of elder law (such as healthcare professionals or attorneys or paralegals working in the career area) and write a report on resources available to assist the elderly with a special emphasis on elder victims of abuse and crime.

Methods of Evaluation:

A student's grade shall be determined by the instructor using multiple measures of performance related to the course objectives. Methods of evaluation may include but are not limited to the following:

- **Method:** Class Performance
Integration: The instructor will evaluate the students on their preparation for each class based on the students' demonstration of comprehension of the class topic and ability to integrate the topic concepts in meaningful participation in class discussions.
- **Method:** Papers
Integration: Student papers will be evaluated based on the students' ability to identify the relevant issues facing the elder generations, find and relate the proper community resources to assist elders, critically evaluate the efficacy of current resources, and make recommendations for resource improvement. The papers will be graded on the thoroughness of topic exploration, the ability to present meaningful evaluation, and grammar and mechanics.
- **Method:** Exams/Tests
Integration: Exams will be a combination of multiple choice and essay questions, designed to evaluate the students' overall knowledge of all topics discussed in the class and will be graded on a standard percent scale. Questions and problems of ethics in the area of elder law will be included.

Examples of Assignments:

Students will be expected to understand and critique college level texts or the equivalent. Reading and writing, as well as out of class assignments are required. These assignments may include but are not limited to the following:

1. Practical assignments based on the subject area being covered that will hone paralegal skills. This may include production of petitions and other documents related to elder law practice.
2. Quizzes over subject matter.
3. Final exam.
4. Choose and interview a professional working in the area of elder law (such as healthcare professionals or attorneys) and write a five to seven page report identifying resources to assist the elderly, discovered through the interview, with a special emphasis on elder victims of abuse and crime.

Textbooks:

- Brashier, Ralph C. (2015). *Mastering Elder Law (no newer text available)* Carolina Academic Press. ISBN: 9781594607592

Other Resources:

Minimum Qualification

- Legal Assisting