



WHAT CAN AN ELDER LAW ATTORNEY DO FOR YOU?

I. WHAT IS AN ELDER LAW ATTORNEY?

An Elder Law Attorney is an attorney who has devoted a significant portion of his or her practice to addressing the issues facing the elderly and their families, and is dedicated to an integrated and comprehensive approach to this area of law. Through recommendations, consultations and coordination of efforts with an elder's other professional advisors, an elder law attorney can guide an elder and his or her family through the many challenging issues that arise as life circumstances change.

II. WHO SERVES AS AN ELDER LAW ATTORNEY?

It is possible for many attorneys to consider themselves elder law attorneys. In fact, many general practitioners and many trusts and estates practitioners often deal with matters that would be considered "elder law" matters. However, the field of elder law is a complex and often fast-changing field. An attorney who concentrates in elder law issues is more suited for addressing those needs.

In addition, there are various associations whose membership is specifically devoted to the practice of elder law. The New York State Bar Association has an Elder Law Section, and such section members are dedicated to serving the needs of the residents of New York State. As an Elder Law section member, each attorney strives for continued excellence in service to the elderly and their families. In addition, the Section offers numerous educational opportunities to permit attorneys dedicated to the field to continue their growth and remain on the cutting edge of the topics encompassing elder law.

Burke & Casserly, P.C. is proud to have each of its attorneys be a member of the New York State Bar Association's Elder Law Section. In addition, Walter T. Burke is Past-Chair of the Section, and Timothy E. Casserly is presently its Chair. As such, Walter and Tim are instrumental in shaping elder law practice in New York State, and remain at the forefront of the field. Their

dedication to serving the needs of the elder community are reflected through their commitment to the Section.

In addition, Tim has written and lectured across the country for the College for Financial Planning and the Financial Planning Association presenting its “Planning for the Elderly” course for those holding Certified Financial Planner designation. He is also a member of the National Academy of Elder Law Attorneys (NAELA), a national organization whose membership is comprised of attorneys in the private and public sectors who deal with legal issues affecting the elderly and disabled. NAELA is a professional association of attorneys who are dedicated to improving the quality of legal services provided to the elderly.

Walter currently serves as Chair of the American Bar Association’s Senior Lawyers Division, and devotes a significant portion of his time to continually educating other professionals on the issues facing elders today through the Elder Law Seminars he has developed and presented on behalf of the ABA nationwide.

Our associate attorneys have also been resources to many community groups, professional associations, employee assistance programs and charitable organizations in lecturing and writing on how to best plan in these important areas of the law.

III. IS AN ELDER LAW ATTORNEY ONLY FOR THE ELDERLY?

Despite the name “Elder Law Attorney,” the services that an elder law attorney provides can be applicable to anyone of any age. Many of the services discussed below may be needed by a younger person who faces a crisis. Disabled individuals, both minors and adults, and their families often need many of the services that an elder law attorney can provide. A person who is suddenly faced with a serious life change due to an accident, sudden illness, or change in family circumstances may find that the services of an elder law attorney are appropriate. For example, assistance in securing governmental benefits is often needed by persons with disabilities; Guardianships are sometimes appropriate for developmentally disabled persons of any age; and estate and long term

care planning might be necessary for younger persons with significant wealth. Don't let the phrase "Elder Law Attorney" fool you - Burke & Casserly, P.C. takes pride in working with persons of all ages to secure the benefits needed, suggest and implement planning strategies, and to ensure that a comprehensive plan is in place for whatever our clients face.

IV. WHAT SERVICES CAN AN ELDER LAW ATTORNEY PROVIDE?

Burke & Casserly, P.C., is a law firm focused on planning for all phases of life and business – and the use of a skilled elder law attorney can make difficult times easier. The areas that we can assist you with include:

- A. Guidance as to long term care planning, including housing options and personal care options;
- B. Asset protection strategies;
- C. Medicare claims and appeals;
- D. Medicaid eligibility and applications;
- E. Guardianships;
- F. Hospital discharge guidance;
- G. Nursing home admission guidance;
- H. Long term care insurance information and assistance;
- I. Basic and Complex estate planning, including Health Care Proxies, Living Wills, Powers of Attorneys, Last Wills and Testaments, and all forms of Trust documents;
- J. Special Needs Planning, including drafting and administration of supplemental needs trusts;
- K. Estate Administration and Probate matters;
- L. Financial planning and budgeting;
- M. Tax planning;
- N. Real estate transactions;

- O. Referrals to community resources, and public and privately funded services; and
- P. Coordination of all personal, business and financial matters with other skilled professionals.

Burke & Casserly can also provide general information on many other areas that affect the elderly and their family. Putting together your team of professionals to guide you through the changing circumstances of life should be a priority, and a competent and compassionate attorney is key to that team's success.

Everyone's situation is unique, and it is impossible to discuss all of the possible planning opportunities in this outline. As with any planning, a good way to begin is to seek competent advice from a qualified professional. At **Burke & Casserly, P.C.** we are dedicated to helping you find solutions to life's perplexing problems. Please call us at **518.452.1961** and ask for our firm administrator, Cheri Terzian, to schedule a free one-half hour initial consultation.