

ELDER LAW WINTER 2011

Background readings are from Soden, *Advising the Older Client* (LexisNexis Butterworths, 2005). Some additional readings are indicated and will be handed out in class. Reference will also be made from time to time to the Special Senate Committee on Aging (First and Second Interim Reports).

Date	Topics	Speakers
Week 1 – Jan 6	Introduction to the Course Who are the elderly?	Readings: Ann Soden: pp. 1-33; Senate Report: <i>Canada's Aging Population: Seizing the Opportunity (SR)</i> 1-31; 193-202 Speaker -Professor Faye Woodman -
Week 2 TBA & Jan 7 Health Law Seminar 12-1:30	End of Life Issues Euthanasia in the Netherlands	Readings: Speakers: Hans van Delden Professor Jocelyn Downie Health Law Institute
Week 3– Jan 20	Age Discrimination & Elder Abuse	Readings: Ann Soden: ch. 6 & 7 Ontario Report on Age Discrimination <i>Nova Scotia Elder Abuse Strategy</i> Speaker: Professor, Mount St. Vincent
Week 4- TBA	Capacity	Readings: - Adult Protection Act -Incompetent Persons Act -Personal Directives Act - Soden, ch. 3,5, & 9 Speaker: Professor Faye Woodman
Week 5 – Jan 27	Personal Autonomy, Capacity	Readings: -review above Speaker: Jeanne Desveaux - <i>Elder Law Practitioner</i> - <i>President of the Alzheimer Society of Nova Scotia, Past President of the CBA National Elder Law Section</i>
Week. 6- Feb. 3	Powers of Attorney & Elder Security	Readings: - Soden, ch. 4 - Powers of Attorney Act

		<p>Speaker: Ned Chase, Q. C. , - TMC Law - Past chair CBA and Nova Scotia Elder Law Section - Executive Officer CBA Elder Law Section</p> <p>Susan Elliott, - RCMP Safety Strategy</p>
Week 7 – Feb 10	<p>Where is the Senior Going to Live?</p> <ul style="list-style-type: none"> Shared Property, Granny Suites and Life Leases: **** Accommodation and Long-Term Care. Assisted Living. Rights of Individuals in Long Term Care 	<p>Readings: - Soden, ch. 8 - <i>Protection of Persons in Care Act</i></p> <p>Speakers: Catherine Walker</p> <p>Sharon Reashore - Executive director of Caregivers Nova Scotia, a non-profit organization which provides support and resources for caregivers (family or friends giving care) - Founder of CBA Elder Law Section in Nova Scotia, member of the National Executive of the Canadian Elder Law section.</p> <p>Jim K</p>
Week 8 – Feb 17	<p>Family Law and the Elderly</p> <ul style="list-style-type: none"> Intra family Support Obligations. Grandparent Access Grandparent Custody and Financial Implications 	<p>Readings: - Soden, ch. 10 - <i>Hansard: Committee on Community Services; Grandparents Rights for Nova Scotia Association</i></p> <p>Speaker: Kim Johnson Garson, Pink</p>
Feb 24 –	Reading Week	No classes
Week 9 – Mar 3	<p>First hour: short answer in class test</p> <p>*****</p> <p>Social Security and Public Pensions</p> <p>Insurance, Deferred Tax Vehicles (RRSP, RRIF, LIFs) and Pension</p>	<p>Readings: - Soden, ch. 2</p>

	<p>Issues</p> <ul style="list-style-type: none"> • An Examination of the Proposed Pension Reforms in BC/ Alta, Ontario and Nova Scotia. • A Review of the <i>Pension Benefits Act</i>. • The Advantages and Disadvantages of Deferred Tax Vehicles • Insurance 	<p>Speaker: Professor Faye Woodman</p>
Week 10 – Mar 10	Financial Planning Financial Planners	<p>Readings: Soden, ch. 2.</p> <p>Speakers: Rob McDowell - (FMA, CIM, FCSI), Assante Financial Management Ltd.</p> <p>Glen Rankin - (CFP, FMA, CIM, FCSI), Assante Financial Management Ltd.</p>
Week 11 – March 17	Wills in a Nutshell	<p>Speaker: Professor Faye Woodman</p> <p>Readings: TBA</p>
Week 12 – March 24	When Technology and Privacy Meet-Use of Technology to Help the Elderly-sensors, robotics,	<p>Speaker: Professor Michael McAllister, Computer Science, & David Fraser, <i>McInnes Cooper</i></p> <p>Readings: TBA</p>
Week 13 March 31	Oral exam or take home exam	

Modes of evaluation for those not writing major essay

1. In class test on Thursday, Mar 3. Short answer, closed book but annotated legislation permitted. Worth **30% of final mark**, but fail/safe
2. Final evaluation: one half hour oral exam (can be recorded if you want) (something like OTL) or take home exam (5 days) in last week of March. **Worth 35% of final mark**
3. During term: **/35%**
 - Note taking/ for one class. (Summary of what went on) Worth **10% of final mark**. Everyone does one. Limited word count. No research.
 - Critique for one class. **Worth 15% of final mark**. Everyone does one. Limited word count .No research.
 - **Attendance 10 marks**

For those writing major essay:

- Essay 75% Note taking and critique worth 25%

Students with Special Needs/Requests for Accommodation

Students seeking special accommodation with regard to course evaluation, such as exam deferral and extensions to deadlines, should consult with Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes as soon as possible, and before an exam is scheduled to be written or an assignment is due. Requests for special accommodation for reasons such as illness or personal circumstances will require an application to the Law School Studies Committee. Students should contact Associate Dean Michael Deturbide or Assistant Dean Elizabeth Hughes if they require more information about the Studies Committee process. Students wishing to discuss arrangements for classroom assistance should see Professor Wildeman, the law faculty advisor to students with disabilities.

Plagiarism

Any paper or assignment submitted by a student at Dalhousie Law School may be checked for originality to confirm that the student has not plagiarized from other sources. Plagiarism is considered a serious academic offence which may lead to loss of credit, suspension or expulsion from the law school, or even revocation of a degree. It is essential that there be correct attribution of authorities from which facts and opinions have been derived. Prior to submitting any paper or other assignment, students should read and familiarize themselves with the policies referred to above.

Ignorance of the policies on plagiarism will not excuse any violation of those policies.

All students in the course must read

- The University policies on plagiarism and academic honesty referenced in the Policies and Student Resources sections of the plagiarism.dal.ca website, and
- The Law School policy on plagiarism, as set out in the law school regulations (available in hard copy from the Associate Dean's office and online at http://law.dal.ca/Current_Students/Course_Selection_Materials/Regulations_Handbook/index.php)