

# THE OSGOODE CERTIFICATE IN ELDER LAW

*“This program is a must for anyone who regularly works with the elderly. It was a unique opportunity to learn about the legal issues impacting the elderly from experts and to gain insights from fellow attendees from different practices and professions.”*

David Harris-Lowe, Barriston Law

A unique program for legal advisors, healthcare professionals and others who work with older persons.

This 5-day **intensive** program is specifically designed by legal, health and elder care experts to provide you with the opportunity to tap into a deep reservoir of practical, relevant information, including:

- **Knowledge** and **tools** to navigate the demanding, complex environment that is Elder Law
- A **forum** for developing a comprehensive understanding of fundamental issues
- **Practical skills** for you to better understand and serve your clients
- A **networking** opportunity to connect with professionals and colleagues working with elderly clients

Register today at:

[osgoodepd.ca/elderlaw](https://osgoodepd.ca/elderlaw)

## PROGRAM DIRECTORS

**Jane E. Meadus**  
Barrister and Solicitor,  
Institutional Advocate,  
Advocacy Centre for the Elderly

**Alexander Procope**  
Perez Bryan Procope LLP

## REGISTRATION DETAILS

March 27, April 3, 11, 17 and 24, 2023  
5 Days Over 5 Weeks  
Online (Live)

Day 3 (April 11, 2023) must be attended Live (Online) or Live (In-person) to qualify for the Certificate.

**Can't make the date?**

*Registration includes 120-day unlimited, online access to the recorded program.*



# The Osgoode Certificate in Elder Law

Register today at:

[osgoodepd.ca/  
elderlaw](https://osgoodepd.ca/elderlaw)

*With COVID-19 as the backdrop, this course will provide critical information on how the current situation has impacted elder law and your role in caring for and advising older adults.*

**Can't make a live session?**

You have 120-day access to the captured program modules.

*“Case studies and real life examples help bring the learning to life.”*

Over the course of five intensive one-day modules, this unique, interdisciplinary program will give you **practical** and **relevant** information on the various areas of law that intersect with caring for elderly clients.

This program goes beyond the traditional approach to the subject matter by exploring the aging process to better understand the circumstances of older adults. There is an emphasis on **skills-based learning**, with lectures supplemented with group exercises, role play simulations, case studies and peer interactions.

Topics include consent, capacity and substitute decision making, powers of attorney, financial planning, privacy, estate planning and family law, end of life, abuse, and effective advocacy.

You will be able to expand your professional network and learn from: senior lawyers, physicians, representatives from The Office of the Public Guardian and Trustee, Ministry of Health and Long-Term Care, the Judiciary, Consent and Capacity Board, the Office of the Chief Coroner and the Correctional Investigator, Canada.

This diversity ensures you will learn a wide range of perspectives, providing in-depth coverage of the major issues.



## Gain the knowledge you need to handle the challenging area of Elder Law including:

- The role of advocacy: tips for being an effective advocate for older adults
- The aging process and recognizing and combating ageism
- The impact of COVID-19 on elder law
- Tackling the misuse of powers of attorney
- The role of the Public Guardian and Trustee
- Privacy Rights in long term care, retirement and community settings
- Estate planning: communicating with elderly clients and their families
- Trauma-informed services for elderly clients
- Tackling elder investment fraud and financial exploitation
- The latest on capacity, substitute decision-making and healthcare consent
- Elder law complaints to regulated health bodies
- Criminal law issues – older adult as the accused party
- Confronting the problems faced by the elderly in jail
- Elder law issues and challenges for indigenous communities
- Long-term care home negligence and personal injury
- The future of elder law

**Register today at:**  
[osgoodepd.ca/elderlaw](https://osgoodepd.ca/elderlaw)

## Who Should Attend

- Lawyers in private practice practicing in the areas of elder law, health law, wills and estates, family law and estate litigation
- In-house counsel
- Government lawyers
- Long-term care home personnel including: Owners/Operators, Presidents/CEO's, Managers, Administrators
- Physicians and nurses
- Law enforcement – those working within vulnerable persons departments
- Social workers
- Allied health professionals

Drawing on the expertise and experience of leading elder and health law lawyers and healthcare professionals, including:

## Program Directors



### Jane E. Meadus

Barrister and Solicitor,  
Institutional Advocate,  
Advocacy Centre for the Elderly



### Alexander Procope

Perez Bryan Procope LLP

## Advisory Board

### Clare Burns

Weir Foulds LLP

### Arthur Fish

Borden Ladner Gervais LLP

### Mark Handelman

Firm Counsel, WEL Partners

### Kathryn Pilkington

Director of Professional Services and  
Health Policy, AdvantAge Ontario

*“The presenters were engaging and the sessions informative. Much appreciation for the preparation time given to each session; it is obvious each is a leader in the field.”*

## Program Faculty

### Benjamin D. Arkin

Arkin Furrow Estate Law LLP

### Jordan M. Atin, JD, CS, TEP

Atin Professional Corporation

### Brooke Auld

Piccolo Heath LLP

### Karon Bales

Bales Beall LLP

### Lauren Bates

Consultant

### Nicole Biros-Bolton

Ross & McBride LLP

### Kelley Bryan

Perez Bryan Procope LLP

### Praniet Chopra

Donovan Kochman LLP

### Krista James

Lawyer

### Sarah E. Jones

Counsel, Office of the Public Guardian & Trustee

### Kerry Knickle, LLM (ADR)

Executive Director, Communication Matters:  
INESRA, Director, Simulation Quality and Faculty  
Development Advisor, The Michener Institute of  
Education at UHN

### Jordan Korn

Goddard Gamage LLP

### David Lepofsky

Volunteer Chair, AODA Alliance at Accessibility  
for Ontarians with Disabilities Act Alliance

### Karen Lindsay-Skyner

Barrister & Solicitor

### Doreen Lok Yin So

Hull & Hull LLP

### Andrea McEwan

Weir Foulds LLP

### Nancy McNaughton, Med, PhD

Communication Matters: INESRA, Education  
Scholar, The Michener Institute of Education  
at UHN

### Jane E. Meadus

Barrister and Solicitor, Institutional Advocate,  
Advocacy Centre for the Elderly (ACE)

### Melissa Miller

Howie Sacks & Henry LLP

### Christine Morano

Advocai LLP

### Angelique Moss

Casey & Moss LLP

### Michael D. Newman

Vice Chair, Senior Lawyer Member, Consent and  
Capacity Board

### Albert H. Oosterhoff

Firm Counsel, WEL Partners, Professor Emeritus,  
Faculty of Law, Western University

### Patrizia Piccolo

Piccolo Heath LLP

### Alexander Procope

Perez Bryan Procope LLP

### Shawn Richard

Lenkinski, Carr & Richard LLP

### Lonny Rosen, CS

Rosen Sunshine LLP

### Asenath Steiman, MD

Internal and Geriatric Medicine, University  
Health Network and Sinai Health System,  
Lecturer, Department of Medicine,  
University of Toronto

### Karen Steward

Staff Litigation Lawyer, Advocacy Centre for  
the Elderly (ACE)

### Anita Szigeti

Anita Szigeti Advocates

### Laura Tamblyn Watts

President, CanAge

### Cara Valiquette

Falls Law Group

### Sarah Virani

Senior Legal Counsel, Kate Dewhirst Health Law

### Judith A. Wahl

Wahl Elder Law, Past Executive Director,  
Advocacy Centre for the Elderly

### Meghan Walker

Will Davidson LLP

### Kimberly A. Whaley, CS, TEP, LLM

WEL Partners

# Agenda

## DAY 1

March 27, 2023

8:50 a.m. – 4:15 p.m. ET

### Introduction to Elder Law

#### Law, Policy and Older Adults: Putting it into Context

Overview of the complex legal environment that is Elder Law, including legislation and case law and a discussion of COVID-19 specific areas of concern.

#### The Intersection of Ageism and Ableism

- Understanding how ageism and ableism interact and can result in discrimination of clients and other older adults
- Determining obligations under the human rights code for the equal treatment of older adults
- Dealing with ageism in the workplace

#### Understanding the Ageing Process

Understanding human aging, its impact on individuals, and what this means for those who work with older adults.

#### Interviewing Elderly People: Understanding Communication and Enhancing Interviewing Skills

##### Interview Technique Demonstrations

Following a presentation on communication skills, you will witness live and interactive virtual demonstrations designed to help you enhance your interview skills. You will learn:

- Different approaches to communication
- When/how long to interview
- How to assess the impact of stress
- To be sensitive to pain and fatigue
- To recognize and be sensitive to cultural issues

## Faculty

### Benjamin D. Arkin

Arkin Furrow Estate Law LLP

### Lauren Bates

Consultant

### Kelley Bryan

Perez Bryan Procope LLP

### Krista James

Lawyer

### Kerry Knickle, LLM (ADR)

Executive Director, Communication Matters: *INESRA*, Simulation Quality and Faculty Development Advisor, The Michener Institute of Education at UHN

### David Lepofsky

Volunteer Chair, AODA Alliance at Accessibility for Ontarians with Disabilities Act Alliance

### Nancy McNaughton, Med, PhD

Communication Matters: *INESRA*, Education Scholar, The Michener Institute of Education at UHN

### Jane E. Meadus

Barrister and Solicitor, Institutional Advocate, Advocacy Centre for the Elderly

### Asenath Steiman, MD

Internal and Geriatric Medicine, University Health Network and Sinai Health System  
Lecturer, Department of Medicine, University of Toronto

## DAY 2

April 3, 2023

9:00 a.m. – 4:30 p.m. ET

### Substitute Decision Making

- What is valid consent?
- Powers of attorney and substitute decision makers
- Determining best interests – what are the considerations?
- The role of the lawyer – ethical considerations when representing clients with diminished capacity
- The role of the Public Guardian and Trustee
- Understanding the Consent and Capacity Board process

## Faculty

### Praniet Chopra

Donovan Kochman LLP

### Jordan Korn

Goddard Gamage LLP

### Andrea McEwan

Weir Foulds LLP

### Jane E. Meadus

Barrister and Solicitor, Institutional Advocate, Advocacy Centre for the Elderly (ACE)

### Michael D. Newman

Vice Chair, Senior Lawyer Member, Consent and Capacity Board

### Alexander Procope

Perez Bryan Procope LLP

### Lonny Rosen, CS

Rosen Sunshine LLP

### Judith A. Wahl

Wahl Elder Law, Past Executive Director, Advocacy Centre for the Elderly

## DAY 3

April 11, 2023

9:00 a.m. – 5:00 p.m. ET

### Common Elder Law Issues

- Estate Planning: communicating with the Elderly Client and their Family
- Predatory marriages
- Parental support by adult children and dependent support
- Elder Law complaints to regulated health bodies
- Parent/adult child and sibling struggles
- Conducting family meetings
- Privacy in elder law
- Capacity in family law
- Ageism in the workplace
- Role of the Public Guardian and Trustee

#### Group Role Play/Simulation Exercise

To put your learning into practice, the afternoon of Day 3 is devoted to the “Betty Scenario,” a detailed case study that delves deeply into the numerous legal, ethical, professional and practical issues raised in the morning sessions. Attendees will be divided into groups, each group facilitated by a lawyer.

## Faculty

### Brooke Auld

Piccolo Heath LLP

### Karon Bales

Bales Beall LLP

### Sarah E. Jones

Counsel, Office of the Public Guardian & Trustee

### Karen Lindsay-Skyenner

Barrister & Solicitor

**Jane E. Meadus**

Barrister and Solicitor, Institutional Advocate,  
Advocacy Centre for the Elderly (ACE)

**Albert H. Oosterhoff**

Firm Counsel, WEL Partners, Professor Emeritus,  
Faculty of Law, Western University

**Patrizia Piccolo**

Piccolo Heath LLP

**Alexander Procope**

Perez Bryan Procope LLP

**Shawn Richard**

Lenkinski, Carr & Richard LLP

**Sarah Virani**

Senior Legal Counsel, Kate Dewhurst Health Law

**Kimberly Whaley**

WEL Partners

**DAY 4**

April 17, 2023

9:00 a.m. – 4:30 p.m. ET

### Long-Term Care Homes, Retirement Homes, Community Based Services and Homecare: Navigating the System, Understanding the Legal Rules

- Health services and other community options: navigating the system
- Complaints against health institutions
- Appeals related to care services/eligibility for long-term care
- Protecting retirement home residents
- Admissions to and living in long-term care
- Discharge to a long-term care home from a hospital
- Admission agreements: what to look out for
- Meeting cultural, linguistic or religious needs
- Detention – use of locked/secured units, use of restraints
- Access and restrictions in congregate care and hospital settings
- Sex and sexuality in LTC: Issues regarding intimacy, privacy, consent and human rights

**Elder Abuse**

Recognizing the signs and responding to the challenges of:

- Physical and emotional abuse
- Financial abuse of elders

## Faculty

**Jane E. Meadus**

Barrister and Solicitor, Institutional Advocate,  
Advocacy Centre for the Elderly

**Melissa Miller**

Howie Sacks & Henry LLP

**Christine Morano**

Advocai LLP

**Judith Wahl**

Wahl Elder Law, Past Executive Director,  
Advocacy Centre for the Elderly

**Meghan Walker**

Will Davidson LLP

**DAY 5**

April 24, 2023

9:00 a.m. – 4:30 p.m. ET

### Effective Advocacy for the Elderly

#### Non-Discriminatory Intake Process, Professionalism, Ethics and Older Clients

While the focus of this session is on the ethical conduct of lawyers, other professionals will also benefit from this discussion. Areas addressed include:

- The non-discriminatory intake process
- Access to your client
- When can/should you talk to other family members?
- Technology and accessibility
- What to do when the integrity of the lawyer is being impugned
- Dealing with undue influence
- Handling conflicts of interest with family members
- What do you do if your client is being abused?
  - spotting the “red flags”

#### Advocacy When the Older Adult is the Accused

- Mandatory charges in spousal abuse cases
- Mandatory obligation to contact police where there is an allegation of sexual assault in a long-term care home
- Confronting problems faced by the elderly in jail

**Roundtable Panel Discussion**

### “The Future of Elder Law”

We close out the Certificate with an experienced panel of elder law practitioners who will enlighten us with their thoughts on the future of elder law incorporating every aspect of this practice. Now more than ever a discussion about the future is critical.

## Faculty

**Jordan M. Atin, JD, CS, TEP**

Atin Professional Corporation

**Nicole Biros-Bolton**

Ross & McBride LLP

**Kelley Bryan**

Perez Bryan Procope LLP

**Doreen Lok Yin So**

Hull & Hull LLP

**Jane E. Meadus**

Barrister and Solicitor, Institutional Advocate,  
Advocacy Centre for the Elderly (ACE)

**Angelique Moss**

Casey & Moss LLP

**Alexander Procope**

Perez Bryan Procope LLP

**Karen A. Steward**

Staff Litigation Lawyer, Advocacy Centre for  
the Elderly (ACE)

**Anita Szigeti**

Anita Szigeti Advocates

**Laura Tamblyn Watts**

President, CanAge

**Cara Valiquette**

Falls Law Group

“Great content and excellent speakers – a real diversity of topics and experiences.”

# Registration Details

**Fee per Delegate: 2,995 plus tax**

**Newly Licensed\*: 50% off regular rate plus tax**

\*This fee applies to newly licensed regulated professionals within the past 2 years

Fee includes program registration, electronic program materials and 120-day unlimited online access to program archive. Group discounts are available. Visit [www.osgoodepd.ca/group-discounts](http://www.osgoodepd.ca/group-discounts) for details.

## Financial Assistance

This program is eligible for OSAP funding. Federal and provincial job grants may be available. You may also apply for financial assistance with OsgoodePD. To learn more, visit: [www.osgoodepd.ca/financial-assistance](http://www.osgoodepd.ca/financial-assistance)

## Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

## Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the program date. If a cancellation request is made with less than 21 days notice, a \$150 administration fee will apply. No other refund is available.

## For Further Program-Related Information, Please Contact:

Myrsini Zacharakis, 416.278.7721 or email [mzacharakis@osgoode.yorku.ca](mailto:mzacharakis@osgoode.yorku.ca)

# Certificate of Program Completion


You will receive a Certificate upon completion of **The Osgoode Certificate in Elder Law**. Participants must:

Attend Modules 1, 2, 4 and 5 (live online or via recorded archive); Attend Module 3 (live online or in-person); and Complete and pass the online post-program multiple-choice assessment.

## Register today at:

[osgoodepd.ca/elderlaw](http://osgoodepd.ca/elderlaw)

 **Email:** [osgoodepd@osgoode.yorku.ca](mailto:osgoodepd@osgoode.yorku.ca)

 **Phone:** 416 597 9724

 **Mail:** 1 Dundas Street West, 26th Floor, Toronto, ON, M5G 1Z3



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.

Eligible CPD Hours – LSO (ON): 33h 40m CPD (26h 40m Substantive; 4h 30m Professionalism; 2h 30m EDI); BC CPD: 31.0



OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact [cpd@osgoode.yorku.ca](mailto:cpd@osgoode.yorku.ca).



This program has been approved for LawPRO risk management credit.



CCHL MAINTENANCE OF CERTIFICATION: Attendance at this program entitles certified Canadian College of Health Leaders members (CHE / Fellow) to 10 Category II credits towards their maintenance of certification requirement.

*“Each session is filled with relevant, important information, presented by knowledgeable presenters.”*

Kathleen Wodzinski  
Paralegal/Community Legal Worker,  
Community Legal Assistance Sarnia

*“Great breadth of perspectives.”*

Molly Rottering  
Paralegal, Advocacy Centre for the Elderly

*“The program was quite informative and eye-opening. It delves into the nuances of everything you need to know about consent and capacity.”*

Angeline Douglas  
Paralegal, Advocacy Centre for the Elderly

*“On the whole the course was EXCELLENT and time was well spent. All professions would benefit from it!”*

Terry Tonkovich  
Executive Director, Ivan Franko Homes

*“I really enjoyed the legal perspective and the ability to interact with people working with the same patients that I do.”*

Ross Johnson  
Medical Director and Attending Physician, LTC

*“The knowledge I gained was incredibly valuable and it has helped me in the work I do.”*

Colleen Petersen, PRHC  
Risk and Insurance Consultant