ELDER & HEALTH LAW CLINIC

Goal of Clinic

Elder law (including health issues for the elderly) is a growing area of legal specialization. It requires a command of complicated substantive state and federal law, as well as a high level of ethical competence. Many cases involve an interdisciplinary approach to lawyering. Students engage in joint classes with UC Davis Medical students to explore common areas of practice. In addition, students may focus on the civil legal needs of those experiencing homelessness as part of a Medical Legal Partnership with local primary and behavioral health clinics.

Students undertake representation of the elderly and homeless in the greater Sacramento area, in areas of elder abuse, restraining orders, health care access (Medicare & MediCal), income access (Supplemental Security Income, Social Security & VA benefits), consumer matters, powers of attorney, trusts & simple estate planning, and the civil legal needs of those experiencing homelessness such as criminal record expungement, reductions of fines & fees, and child support modifications.

Students interview and counsel clients, conduct factual investigation and legal research, develop case theories and strategies, manage case files, draft documents, negotiate and present or defend client's cases in court. Goals include providing students the opportunity to represent individuals in court and in transactional matters concerning planning for death, incapacity and a variety of other issues. The Elder and Health Law Clinic is an opportunity to do what lawyers do. The issues presented challenge your own view of aging in our society and will demonstrate how your counsel and advocacy will have a beneficial impact on our community.

Priority cases include:
- Elder Abuse - Financial, Emotional and Physical
- Social Security, Supplemental Security Income and other Income Security Issues
- Medicare, Medi-Cal, In-Home Supportive Services and other Health Access Issues
- Substitute Decision-Making Issues such as Powers of Attorney, Advance Health Care Directives and Physicians’ Orders for Life-Sustaining Treatment
- Debtor-Creditor, Consumer Protection
- Wills, Trusts and Small Estate Planning
- Expungement of criminal records, reduction of fines & fees, and child support modification

Structure of Clinic

- This is a one semester clinic for three graded units, which includes an hour long, weekly clinic instructional meeting. In addition, law students will engage in client representation and counseling for a total of 150 hours.
- Returning students may, with professor’s approval, enroll in additional semesters.
- Enrollment in the Elder & Health Law Clinic is limited to eight students.

Prerequisites for Enrollment

Concurrent or prior enrollment in the Elder Law and Social Policy course, or equivalent course work or experience is required. In addition, a student must be enrolled in, or have successfully completed Evidence and Civil Procedure in order to meet the California State Bar certification requirements.

Instructor

Melissa Brown, Professor of Lawyering Skills and the co-author of Advising the Elderly and Disabled Client, is the supervising attorney. She has decades of private practice experience in a small firm representing elderly, injured and disabled clients, which includes legislative and appellate advocacy. Contact information: mbrown1@pacific.edu.

Why This Clinic is Valuable

The cases challenge your legal, counseling and negotiation skills. Court appearances allow real life experience and interaction with attorneys, judges and witnesses. Many of the cases call upon the student attorney to question his or her own values about quality of life, fairness, and the wisdom of law and policy.