

# ELDER LAW CLINIC

SIGNATURE PROJECT

of the

*PRO BONO* COMMITTEE

of the

LEGAL ASSISTANT DIVISION

of the

NORTH CAROLINA BAR ASSOCIATION

1999 - 2000 *PRO BONO* COMMITTEE  
VALERIE G. CHAFFIN, CLA, CHAIR

1999 LAD CHAIR  
SHARON L. WALL, CLAS

2000 LAD CHAIR  
RICHARD H. REICH

## *The Elder Law Clinic is Born*

During the course of a three year *pro bono* project of the law firm of Hunton & Williams at Capital Towers retirement center in Raleigh, North Carolina, over a dozen inquiries were received from individual residents regarding matters unrelated to the *pro bono* representation. These problems were referred to attorneys throughout Wake County. As a result of these inquiries, it became apparent that there was a definite need for legal services for low to moderate income elderly citizens. As we had already established a relationship with residents at Capital Towers, we thought it an appropriate site for the establishment of a clinic or legal referral office. We shared our idea with the Legal Assistant Division of the Bar Association, who in turn, elicited the assistance of the Wake County Volunteer Lawyers Program (VLP). VLP enthusiastically endorsed the effort.

The Clinic at Capital Towers had been such a success that plans are now under way to begin a comparable Clinic at a retirement center in Mecklenburg County. Volunteers have already been contacted, a site has been selected, and a law firm is in the process of making arrangements to staff the attorneys for the Clinic based on the successful model established at Capital Towers.

## ***Clinic Model***

The Clinic is restricted to residents of facilities, not their family members or staff of the facilities, that meet the income requirements of Volunteer Lawyers Programs or Elder Service Programs of the County Bar Associations. It is cost-free benefit to these residents. The Clinic is designed to address legal issues of residents, including those common among elderly people such as Social Security issues, Medicare/Medicaid problems, Estate Planning, Will drafting, and dealing with insurance problems. Prior to its establishment, residents are surveyed to ascertain the desire for a Clinic.

The Volunteer Lawyer Program and the *Pro Bono* Committee Chair of the LAD, coordinate attorney/legal assistant team assignments for the project. An extensive training program in Elder Law issues for the attorney/legal assistant teams prior to the opening of a Clinic is implemented, if necessary. This training has not been necessary to date, as the volunteers already have experience in elder law issues.

Participants in the Clinic are:

**Resident Coordinator (RC):** Resident volunteer to coordinate appointments and information sheets for residents requiring legal assistance.

**Project Coordinator (PC):** LAD volunteer to work with the Resident Coordinator in setting up appointments; also sets up attorney/legal assistant teams to staff the Clinic.

**Facility Residents:** Beneficiaries of the Elder Law Clinic.

The Clinic is open for a 1-2 hour session, depending on needs, one day per month. The session is made up of pre-determined appointments that are scheduled with the assistance of the

RC. The PC provides information sheets to the RC who uses them to set up appointments for the Clinic Session. A few days before the session, the RC forwards the sheets to the PC to be able to brief the attorney/legal assistant team assigned to the Clinic to prepare for their session. The attorney/legal assistant team determines if follow-up meetings are necessary for the participants of the session, and conducts the meetings, if needed. Should the attorney/legal assistant team of the session determine that a referral of the resident's legal issue to another attorney is necessary, he or she makes that referral. Otherwise, the Clinic attorney/legal assistant team and the resident decides the proper course for the resident and proceeds accordingly.

Should an inquiry regarding landlord/tenant issues arise, and the investigation by the attorney/legal assistant team reveals a genuine issue, the team makes the manager of the facility aware of the problem and works with management to resolve it to everyone's satisfaction.

Any expenses of the Clinic are covered by the LAD. The PC makes an annual report to the VLP and the LAD regarding the progress of the Clinic. The LAD Chair reports to the facility's Board of Directors, if so desired.

The Clinic times and description are announced periodically to residents. Newsletter articles are prepared by the PC and given to management for publication in newsletters to residents. Constant advertising of the Clinic is necessary for new residents and for the continued success of the project.

A copy of the forms described in this Model that were used at Capital Towers are attached. Obtaining volunteers has not been a problem as the experience has been that team members sign up for future months immediately after completing a Clinic Day. To date, the only negative aspect of the project has been turning down attorneys because of an oversupply of volunteers. It is a very low cost project with a high value outcome.

Valerie Chaffin, the legal assistant who designed the Elder Law Clinic model, is available to discuss aspects of this Model and its benefits to a growing sector of our population. She can be reached at:

Valerie G. Chaffin, CLA  
Hunton & Williams  
P.O. Box 109  
Raleigh, NC 27602  
(919)899-3044  
[vchaffin@hunton.com](mailto:vchaffin@hunton.com)

**TO ALL RESIDENTS:**

The North Carolina Bar Association's Legal Assistant Division (LAD) and the Wake County Volunteer Lawyers Program (VLP) would like to provide the residents of Capital Towers a new benefit: an Elder Law Clinic. This Clinic would be provided to our residents completely FREE OF CHARGE. The Clinic would be for any legal needs of our residents. There will be a designated resident who would serve as an appointment secretary for residents to schedule appointments with the volunteer attorney. A different attorney would be assigned each month. At the appointment, the resident would be able to discuss his or her question with the attorney. Any follow-up appointments necessary will be arranged between the resident and the attorney. Some residents may not ever use this benefit, but it would be available should their needs arise.

The Capital Towers Board of Directors would like to know if you would like to have this free benefit available here at Capital Towers. Please check one of the boxes below showing you DO or DO NOT want this benefit here. If you do not want this benefit, please state why not. This survey is anonymous.

\_\_\_\_\_ **I DO WANT TO HAVE  
AN ELDER LAW CLINIC AT CAPITAL TOWERS**

\_\_\_\_\_ **I DO NOT WANT TO HAVE  
AN ELDER LAW CLINIC AT CAPITAL TOWERS**

**PLEASE EXPLAIN WHY YOU DO NOT WANT THIS BENEFIT HERE:**

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You can turn the survey in at the desk in either building. Thank you for your input with this project.

Dear Capital Towers Building 1 Resident:

First and foremost, thank you for using the **Capital Towers Elder Law Clinic!**

Attached to these instructions is an Intake form. Please **print** your name, apartment number, and telephone number in the space provided. Then give a brief description of your legal question or problem. Please attach any documents pertaining to your question to the Intake Form. When you have finished, fold and place the form in the attached envelope, **seal** the envelope and return it to your facilitator. The name of your facilitator and her apartment number are on the front of the envelope. The Project Coordinator will pick up the sealed envelopes to be forwarded to the legal assistant and the attorney - the legal team. **NO ONE BUT THE PROJECT COORDINATOR AND THE LEGAL TEAM WILL SEE THE CONTENTS OF YOUR ENVELOPES.**

After you have returned the form to your facilitator, you will be put on the appointment list for the next Clinic Day. You will not receive any further confirmation of your appointment. If the list is too long, you may be held over to the next Clinic Day. You will be notified if this occurs. If, for some reason, you are unable to keep your appointment, contact the Project Coordinator.

Your clinic time will be from 11:00am to 12:00 noon on the first Tuesday of every month. Please wait in your apartment until you are called by the legal team to come down for your appointment. The Clinic will be held in the Conference Room next to the front desk in the lobby.

At the conclusion of your appointment, the legal team will make a recommendation and will inform you of that recommendation and of any follow-up instructions, if necessary. Should you have any questions, please contact the Project Coordinator at the number listed below. **Do NOT** contact either the facilitators or management of Capital Towers, as they will not be able to answer questions about your case.

Fran Carraway  
Project Coordinator  
Capital Towers Elder Law Clinic  
**716-6917**

**CAPITAL TOWERS ELDER LAW CLINIC  
INTAKE FORM**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

**DESCRIPTION OF QUESTION OR PROBLEM:**  
(attach any documents you think helpful or necessary)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**FOR CLINIC USE ONLY**

DATE \_\_\_\_\_

\_\_\_\_\_  
**ATTORNEY**

\_\_\_\_\_  
**LEGAL ASSISTANT**

**DISPOSITION / RECOMMENDATION**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## **Hear Yea! Hear Yea!**

Living at Capital Towers now offers a new privilege – a free lawyer! Yes, you heard correctly. The Capital Towers Elder Law Clinic, sponsored by the Legal Assistant Division of the North Carolina Bar Association and the Wake County Volunteer Lawyers Program, is officially in business. The Clinic will be here to answer any legal question you may have. From wills to Social Security issues to tax questions to consumer protection matters – no question is too big nor too small.

To take advantage of this free benefit, you simply have to contact the facilitator in your building to request an Intake Form. You fill out the form, place it in the envelope attached to the form and give it back to the facilitator at least 7 days before the next Clinic Day. You will be placed on an appointment list for the Clinic Day. The Clinic will operate on the first Tuesday of every month from 11:00am to noon in Building 1 in the conference room near the office and from noon to 1:00pm in Building 2 in the computer room.

The facilitators are:

**Building 1 - Resident - Apt. # Phone no.: ##**

**Building 2 - Resident - Apt. # Phone no.: ##**

On Clinic Day, the attorney or the legal assistant will contact you to come down for your appointment. This will allow you to wait in your apartment instead of the lobby of your building. At the conclusion of your appointment, you will be given a copy of your Intake Form with the lawyer's recommendation as well as an Elder Law Handbook provided by the North Carolina Bar Association. If your question requires follow-up, your attorney will be responsible for providing you instructions and maintaining contact with you.

It is our sincere hope that you will take full advantage of this new benefit of living at Capital Towers. Should you have any questions, do not hesitate to contact me.

Valerie Chaffin  
Pro Bono Chair  
Legal Assistant Division  
NC Bar Association  
899-3044