

CHOOSING AN ELDER LAW ATTORNEY

The process of finding and choosing an elder law attorney begins by identifying that you actually need one. The question is: Why would you need the services of this specialized attorney?

Here are some questions to ask yourself:

- Do you or a loved one have questions about paying for long-term care?
- Are your wills and powers of attorney up to date and in compliance with current law?
- Do you need advice on what kind of care your loved one needs and what their rights are?
- Are you looking to preserve assets for the duration of your illness?
- Are you concerned about assets being left for a spouse's care in the future?
- Have you or a loved one been diagnosed with dementia, Parkinson's Disease, ALS or any other chronic medical condition which will, most likely, require long-term care?
- Do you need to pursue guardianship on behalf of a loved one?
- Do you need information on Medicaid planning?
- Do you or a loved one have a disability that you need to legally plan for?

If you can answer yes to any of these questions, you may need an elder law attorney.

Once you have identified that you need an elder law attorney, the next step is finding one. Law are different for each state. Attorneys must be licensed by the state. Therefore, it is important to find an attorney licensed in the state where you, or your loved one whose planning is concerned, lives (or maybe in the state where their property is located depending on the issues).

When Evaluating an Elder Law Attorney, Here are Some Good Questions to Ask:

Are they a CELA or a Certified Elder Law Attorney?

This special certification is the "gold standard" for elder law practitioners. Selecting an attorney who has been certified as a CELA means that you are choosing an attorney who has gone above and beyond to prove their commitment to older adults / people who have a disability.

—Attorneys Janna Dutton, Kathryn Casey, Helen Mesoloras, and Melissa Kallio are Certified Elder Law Attorneys.

Do they practice more than just estate planning?

An elder law attorney is **not the same** as an estate planning attorney! Although most elder law attorneys incorporate estate planning into their practice, elder law planning is different from estate planning.

Elder law planning seeks to preserve your money, income and assets to be used for your benefit and care while you are still alive. Estate planning focuses on the distribution of your assets after you die. Elder law attorneys have a deep understanding of the regulations for public benefits, the rights of older adults / people who have a disability, and the unique needs of families caring for an aging loved one. Make sure the attorney you choose practices more than just estate planning!

Does the firm have a care coordinator?

Care Coordinators can be there to educate the family and help navigate through the long-term care maze. As questions arise about housing, caregiving, end-of-life issues, community-based resources, etc., a Care Coordinator can be a consistent source of support for clients and families. Most families who visit an elder law attorney need more than just legal or financial guidance; they need to know how to access the best care possible for themselves or their loved one. Working with an elder law attorney who has a Care Coordinator on staff will help give you the holistic support you will likely need.

—Monica DiOrio, who has experience in aging and disability issues, is our Client Care Coordinator.

When you have questions related to elder law, estate planning, long-term care planning, special needs planning, probate, and guardianship, think of the attorneys at Dutton Casey & Mesoloras. With over 165 years of combined legal experience, you can depend on our team for the knowledge, advice, and support you deserve to resolve your legal needs.

Resources:

National Elder Law Foundation – www.nelf.org

National Academy of Elder Law Attorneys – www.naela.org

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The Supreme Court of Illinois does not recognize certifications of specialties in the practice of law and the CELA designation is not a requirement to practice law in Illinois.