

# Elder Law News

September 2000

First Edition

**W**elcome to the Elder Law Section! We are pleased that you have joined and hope that you will find section membership useful to your practice. Our new section currently has 275 members and we continue to grow. The purpose of this section is to provide support and assistance to elder law attorneys throughout the state and to help those who are interested in developing an elder law practice.

*Ellie Crosby, Section Chair*

## We Need Your Input and Involvement

We want this section to provide you with tools you need. If you have suggestions, would like to be involved in the leadership of this section, or if you are interested in working on any of the projects outlined in this newsletter, please contact Section Chair Ellie Crosby at (404) 657-0217, [elliecrosby@usa.net](mailto:elliecrosby@usa.net) or visit the section web page to use our member interest form. (see *web info.on page 2*)

## CLE Announcement

Our first section event is a CLE on September 28 co-sponsored with ICLE and the YLD Elder Law Committee covering advanced issues in adult guardianship. This CLE has been approved for one ethics hour, one professionalism hour, and three trial hours. Sally Hurme, a nationally recognized authority on guardianship, will participate. We will also have the opportunity to hear from a distinguished panel of probate judges, and learn more about the Fiduciary Law Section's proposed guardianship legislation. Visit the ICLE web site at [www.iclega.org](http://www.iclega.org) or call I.C.L.E. in Athens, Georgia at 1-800-422-0893.

## Suggested Section Projects

Other suggested projects include an annotated elder law desk reference, a mentoring program, development of our web page, an Elder Law Institute, studies of emerging elder law issues, and monitoring and

reporting on legislation, regulation and case law of interest to elder law attorneys. We are interested in hearing from you about how you would like to be involved and which projects would be of most use to you.

## Mid-year Meeting

We are planning a luncheon program for the Section during the State Bar's Mid-year Meeting in January. Watch for details and join us there.

## Elder Law Resources

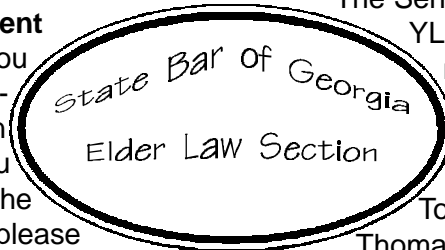
The Senior Citizens Handbook produced by the YLD Elder Law Committee is a wonderful resource for clients. This comprehensive manual covers all the laws and programs affecting seniors in Georgia and contains an updated resource list. To obtain a copy, contact Natalie Thomas, Legal Services Developer at the Georgia Division of Aging Services at (404) 657-5328. Best of all, it's absolutely free!

The Georgia Senior Legal Hotline is a toll-free number that clients aged 60 and older can call to obtain legal advice, brief service and referrals. Hotline attorneys are available five days a week at no cost to answer questions and provide assistance to older callers and their families.

***The Hotline number is (888) 257-9519.***

## National Health Decisions Week

The ABA Section of Real Property, Probate and Trust Law has initiated a program to raise public awareness of the need to plan for health care decisions at the end of life. October 22-28, 2000 is the official Health Decisions Week but local bars are encouraged to plan programs between now and the end of November 2000. Bar associations are eligible to receive grants up to \$500 to assist with the cost of materials and advertising. The ABA has developed material for local bars to use including a press release and other publicity. Material on advance directives in Georgia is also available. If you are interested in hosting a communi-



ty education forum, please visit their ABA web site or contact the co-chairs of the Elder Law Committee Dan Munster (770) 671-8500 or Kristin Ruzicka, (912) 651-2187 for more information and Georgia specific material.

### Section Web Page

The Elder Law Section has a web page that can be accessed through the State Bar web site. We are interested in knowing what types of material you would like to see posted on the site. The web address is [www.gabar.org](http://www.gabar.org). Select "Sections" on the home page and go to **Elder Law Section**.

In addition, you can check your CLE hours, view upcoming State Bar meetings, view a list of section members, the Bar directory, the State Bar handbook, Formal Advisory Opinions and related organizations, etc.

### The Elder Law Section Needs You!

Our section by-laws call for a chair and vice-chair and state that elections will be held each year. Ellie Crosby and Melanie McNeil have agreed to work together to get the section organized and operating smoothly. We have identified the need for leadership positions in the following areas: Treasurer, Publications Chair (coordinates newsletter/desk reference), Legislative/Policy Chair, and Vice-Chair/Chair Elect (serves as educa-

tion chair and coordinates CLE/Institute). Ellie Crosby is the current Section Chair and Melanie McNeil is Vice-Chair/Chair Elect. If you are interested in becoming involved with the leadership of the section or working on a committee or if you have ideas or thoughts about how to organize the section, please contact Melanie McNeil at (770) 565-7935 or e-mail her at [msmcneil@dhr.state.ga.us](mailto:msmcneil@dhr.state.ga.us). A member-interest form will be posted on our web page shortly.

### Supreme Court Rules on Grandparent's Visitation Rights

In June, the United States Supreme Court issued a ruling in *Troxel v. Granville*, 2000 WL 712807 (U.S. Wash.), striking down as overly broad a Washington state non-parental visitation statute. The Washington statute allowed any person to petition for visitation rights and permitted a court to order visitation if it finds that the visitation may be in the child's best interest. Georgia's statute, unlike the Washington statute, enables a court to allow visitation only if the court finds it is in the child's best interest and if the health or welfare of the child would be harmed if visitation rights were not granted. Furthermore, Georgia's statute applies to grandparents only (O.C.G.A. Section 19-7-3). While grandparent advocacy groups are concerned about this opinion, it is not likely to have an effect in Georgia because our statute has a stricter standard■

## Pass This Form To A Prospective Member

Yes, I Would Like To Join

The "New" Elder Law Section

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_ (Zip)

Bar No. \_\_\_\_\_

**This form can be mailed to:**  
State Bar of Georgia  
Membership Department  
800 The Hurt Building, 50 Hurt Plaza  
Atlanta, Georgia 30303

**Make Your \$20 Check Payable To The State Bar of Georgia. This will give you membership through July, 2001**