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THE CANADIAN BAR ASSOCIATION
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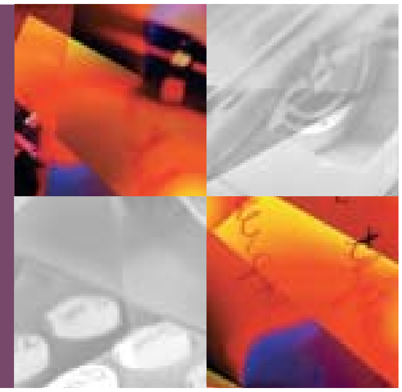
# Planning For Later Life: Legal, Financial And Social Challenges of Aging



Presented by the Canadian Bar Association's National Elder Law Section and the Continuing Legal Education Committee

In collaboration with
The Canadian Institute of Chartered Accountants

**May 13 & 14, 2005**
**The Metropolitan Hotel**
**Toronto, ON**

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## Develop Expertise In An Important and Rapidly Growing Field

As lawyers and chartered accountants we represent many of the same clients and are seeing those clients age. This conference will identify aging issues, and offer you the opportunity to learn more about providing services to older adults, their families and to markets serving them.

Providing life planning services to an aging population is a growing market. Whether you want to develop a new practice, to enhance your existing one or to expand the services you offer to older clients, this conference will be helpful to those at all levels of expertise. You will hear from leading experts on legal and financial planning for aging, alternative housing options, practice management issues and more.

This conference will cover:

- **How to maximize your clients' legal, financial and lifestyle options;**
- **New and innovative ideas to improve professionalism, understanding of aging issues and how to expand your practice; and**
- **How to effectively market your services to older clients, their families and markets serving them.**

*Program Moderator:* ***Ann M. Soden****, Founding and Past-Chair, CBA National Elder Law Section*

# Program

## FRIDAY, May 13, 2005

**7:45 – 8:30 Registration**

**8:30 – 8:45 Developing an Elder Law or Elder Care/Prime Plus Practice: A Multidisciplinary Approach to Later Life Planning and Lifestyle/Care Management Services**

Most people plan their estate in the event of premature death but they don't plan for living longer and facing the potential of disability. This introduction will present an overview of multidisciplinary planning for later life and the services that can be offered by lawyers and chartered accountants to their older clients in an expanded practice.

Speakers: **Hugh McLellan**, *Chair, CBA National Elder Law Section*
**Karen Duggan**, *Principal, PrimePlus / Elder Care Canadian Institute of Chartered Accountants*

**8:45 – 10:00 Recognizing and Assessing Your Clients' Needs**

This talk will look at the physical and psychological changes related to aging with particular emphasis on matters of capacity and consent and how they are determined. Societal tendencies toward overprotection, ageism and paternalism, including the innocent abuses will also be discussed.

Speakers: **Arthur Fish**, *Borden Ladner Gervais LLP, Toronto*
**Marshall Swadron**, *Swadron Associates, Toronto*

**10:00 – 10:15 Refreshment Break**

**10:15 – 11:30 Legal Planning Instruments**

This session will review the documents and legal arrangements our clients can create in life and estate planning. This will include a review of what works well, and when, and the problems that sometimes arise. In turn, the presenters will offer their suggestions for avoiding the pitfalls, drawing from their experience as litigators and solicitors. Among the topics to be discussed:

- Powers of Attorney
- Health Care Directives
- Wills
- Trusts
- Joint Tenancy, and
- Working with other professionals to advise the client

Speakers: **Barry Corbin**, *Corbin Estates Law Professional Corporation, Toronto*
**Kim Whaley**, *Dickson MacGregor Appell LLP, Toronto*
**Jan Goddard**, *Jan Goddard and Associate, Toronto*

**11:30 – 1:00 Lunch**

Keynote Speaker*:* **Jean Blacklock**, *Chief Operating Officer, BMO Trust Company*

**From the Trenches:**
**Opportunities to Advise Businesses Entering the Aging Market Segment**

When you think of developing your practice to reflect the aging population, in addition to planning for the aging individual, there are many opportunities to advise businesses serving senior Canadians. Jean Blacklock will briefly discuss some of the challenges and considerations requiring your professional advice, such as drafting a viable business plan for the aging market niche; managing the inherent risks in serving an elder clientele; and designing a successful marketing approach.

**1:00 - 2:00 Financial Planning for Non-Financial Planners**

A longer life span means extending our financial planning horizons on how to finance extended retirement and the potential of disability.

What do you do when you're at an age where you've made your money and health becomes an issue? Using the situation of a 75-year old middle income earner, with RRSPs, a home and cottage, how do you finance living longer and homecare, supportive housing or long-term care for one spouse or both? How and when to gift or transfer assets to adult children? When do you downsize and liquidate? Can reverse mortgages and life leases help? How does the 40-year old plan for these issues? What is the case for long-term care insurance?

Speakers: **Scott McKenzie,** *C.F.A., C.F.P., C.I.M., Vice-President, T.E. Financial Consultants Limited, Toronto*
**C. Yvonne Chenier,** *Lawyer and Life Planner, Calgary*

**2:00 - 2:45 Housing and Care Options**

This session will address the continuum of housing and care options, including in-home care, assisted living facilities or care homes and long-term care facilities. What are your options as your age and health becomes a factor? Where do you go when you decide to leave home? Opportunities, advantages, and what to look out for in services, contracts, residents' rights and financial issues and keeping abreast of the market will be addressed.

Speakers: **Karen Henderson,** *EPC, Educator and Founder/CEO Caregiver Network/ How to Care*
**George Monticone**, *Advocacy Center for the Elderly*
**Margaret Hall**, *Faculty of Law, University of British Columbia*

**2:45 – 3:00 Refreshment Break**

# Program

**3:00 – 3:45 The Many Faces of Mistreatment and Exploitation of Older Adults**

Judith will inform us about types, indicators and prevalence of mistreatment, recommended methods of prevention, detection and intervention by professionals, the appropriate role of the law, as well as issues of mandatory and voluntary reporting and ethical challenges and responses.

Speaker: **Judith Wahl,** *Advocacy Center for the Elderly, Toronto*

**3:45 – 5:00 Cross-Border and Financial Planning Opportunities and Pitfalls of Moving to Another Jurisdiction in Canada or U.S. to Retire**

This session will provide a wealth of legal information and practice tips to lawyers advising Canadians who reside part-time in the United States and/or change residences across provincial lines, including: multiples wills, probate planning, powers of attorneys and healthcare directives; residence/domicile issues; healthcare insurance, pension benefits; conflicts of law and jointly-held property; U.S/Canada tax considerations and planning opportunities.

Speakers: **Ed Northwood**, *Hodgson Russ LLP, Toronto and Buffalo, N.Y.*
**Mary-Anne Bueschkens***, Heenan Blaikie LLP, Toronto*

**5:00 – 6:30 Networking Reception**
**This networking reception will serve as an excellent opportunity to meet speakers and other attendees.**

## SATURDAY, May 14, 2005

### 9:00 – 10:30 Family Issues

This session will present ten (10) "best practice" tips for caring, coping and collaborating. It will address what lawyers and accountants need to know about family caregiving, the healthcare team and how collaborating will result in satisfied clients and referrals to build their eldercare and Elder Law practices. Legal issues of later life marriage, divorce, property transfers in exchange for caregiving (care agreements) and undue influence will also be explored.

Speakers: **Caroline Tapp-McDougall**, *Publisher, Solutions Magazine* and *author of The Complete Canadian Guide to Care-Giving*
**Carol Edwards***, R.N. and Geriatric Care Manager*
**Karen C. Bales***, Bales Beall LLP, Toronto*
**Margaret Hall***, Faculty of Law, University of British Columbia*

### 10:30 – 10:45 Refreshment Break

### 10:45 – 12:00 Practice Management Issues: The Nuts and Bolts of Getting Going

The presentation will include a discussion of professional and practice management issues of serving this expanding market, including marketing tips and a video dramatization and discussion of ethical considerations for professionals: confidentiality, avoiding conflicts of interest, identifying the client and effective communication, in particular with the client with diminished capacity.

Speakers: **Milton W. Zwicker**, *Zwicker, Evans, Lewis, Orillia*
**Ann M. Soden**, *Founding and Past-Chair, CBA National Elder Law Section*

### 12:00 – 12:15 Closing Remarks

**Ann M. Soden**, *Founding and Past-Chair, CBA National Elder Law Section*

### 1:00 – 6:00 Section Business Meeting

*Attendees are welcome to attend the business meeting of the CBA National Elder Law Section to discuss updates and planning for next year.*

*Speakers subject to change*

# Registration Form

**ACCOMMODATION**
The Metropolitan Hotel Toronto
108 Chestnut Street
Toronto, Ontario M5G 1R3
Tel.: (416) 977-5000
Web-site: http://www.metropolitan.com

**HOTEL RESERVATION CUT OFF DATE:**
**April 12, 2005**
For convention rates, please contact the Hotel directly before the cut-off date and refer to the CBA Elder Law Conference

**TRAVEL**
Air Canada is the official carrier for all our CBA meetings. For travel assistance, please call the CBA's travel agent, Algonquin Travel at 1-866-216-1251 or Air Canada at 1-800-361-7585, and quote CBA Account # CV053441. By ensuring that this Special CBA Account Number appears on your ticket, regardless of the fare purchased, you will help support your organization financially, and we thank you.

**TO REGISTER**
**BY MAIL:** Send cheque or money order made payable to the Canadian Bar Association or pay by credit card (Visa or MasterCard) together with this registration form to the attention of:

**Carole Roussel, CLE Program Coordinator,**
**Canadian Bar Association,**
**865 Carling Avenue, Suite 500,**
**Ottawa, Ontario, K1S 5S8** or

**BY FAX: (613) 237-0185.**

**PAYMENT MUST BE RECEIVED WITH THE COMPLETED REGISTRATION FORM.**

**REFUND POLICY**: There will be an administrative charge of $53.50 ($50.00 + GST) for any cancellation received in writing prior to **April 13th 2005.** No refund will be given after **April 13th, 2005.** There will be no refunds for "no shows". The program material will be shipped within 10 days after the program to those unable to attend.

For further information about this programme, please contact Carole Roussel at the CBA National Office by telephone at **613-237-2925 or 1-800-267-8860** or by e-mail caroler@cba.org

*We encourage limited use of scented product during the conference in consideration of scent-sensitive participants. Thank you.*

***ARE YOU IN A MINIMUM REPORTING JURISDICTION?***
***This event provides 12 hours of professional development***

***For updates on the program please visit our web-site at www.cba.org/CBA/CLE***

❑ YES, Please register me for:

## The CBA Elder Law Conference

| | FEE | GST | TOTAL |
|---|---|---|---|
| ❑ CBA Members | $525.00 | $36.75 | $561.75 |
| ❑ Students (CBA Members) | $275.00 | $19.25 | $294.25 |
| ❑ Non-Members | $695.00 | $48.65 | $743.65 |

❑ Join the CBA now and pay the member fee to attend this program. (A membership representative will contact you)

❑ No, I cannot attend but would like to purchase the course material. Please allow 6 to 8 weeks after the conference for delivery.

**CBA Membership No.**

❑ Mr. ❑ Ms.

Surname Given Names

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Please indicate special needs (dietary, wheelchair access, etc.)

**Method of Payment (payment due with registration application)**

Cheque ❑ Visa ❑ Mastercard ❑

Card No. Expiry Date

Authorized Signature

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By checking this box ❑, I do not wish my contact information disclosed to the preferred suppliers, sponsors and exhibitors of this program. I understand my name will not appear on the delegates list.