

West  Nutshell Series

LAWRENCE A. FROLIK
RICHARD L. KAPLAN

Elder Law

in a
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shell

5th Edition

WEST®

ELDER LAW

IN A NUTSHELL

FIFTH EDITION



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610 Opperman Drive
St. Paul, MN 55123
1-800-313-9378

Printed in the United States of America

ISBN: 978-0-314-92601-2

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In loving memory of my parents
L.A.F.

To my parents,
whose memory is a blessing
R.L.K.

PREFACE

This brief volume is intended to introduce the reader to one of the fastest growing and significant legal specialties-elder law. This title increasingly is used to describe the multitude of legal concerns faced by older Americans as they plan their later years and seek to maximize their personal autonomy. These concerns range from age discrimination in employment, to housing alternatives and options, to ensuring control of one's financial affairs, to financing one's medical needs, and ultimately to determining the scope of medical care that one desires. In many ways, elder law is a response to extended life expectancy, in contrast to more traditional "estate planning" with its largely after-death orientation.

Accordingly, this book should be of interest to anyone who has regular contact with older persons: lawyers and law students needing an overview of some particular subject, social workers, certain medical personnel, gerontologists, retirement planners, and the like. We address this book to all these audiences with the hope that it clarifies the issues and sets forth a framework for informed action and understanding.

The authors express their appreciation to their respective assistants, Patricia Blake and Molly

PREFACE

Lindsey, for their inestimable help in bringing this project to fruition, and to their families, for their interest, encouragement, and support.

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May 2010

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