

SeniorLAW Center and AARP Leverage Pro Bono to Change Systems and Lives

Philadelphia's own SeniorLAW Center and AARP are developing an innovative partnership that will use the power of the city's legal community to improve the lives of senior veterans, elder abuse victims, and grandparents raising grandchildren, far too many of whom face poverty or other challenges.

By Karen C. Buck and Nora Dowd Eisenhower | September 21, 2018

How often do you want to give back—deliver on your best pro bono intentions, just to be thwarted by not being able to find the right opportunity? Philadelphia's own SeniorLAW Center and AARP are developing an innovative partnership that will use the power of the city's legal community to improve the lives of senior veterans, elder abuse victims, and grandparents raising grandchildren, far too many of whom face poverty or other challenges. Pro Bono Action for Community Impact in Pennsylvania leverages pro bono partnerships with law firms and corporate counsel to fight for systemic changes that expand legal protections and resources for vulnerable seniors. Pennsylvania's demographics demonstrate the need for focused senior legal advocacy. It is the fourth oldest state, and Philadelphia includes both the largest percentage of seniors and poorest overall population among the nation's 10 largest cities. Issues of law and aging are affecting our country, our health care, housing, financial, social services and legal systems, and our individual lives profoundly ... and will continue to do so as older people grow to become one quarter or more of the world's population by 2050.

Aging is changing the world.

SeniorLAW Center is one of the few organizations in the world dedicated wholly to using the law to change the lives of older people. In 2018, the center celebrates its 40th anniversary. We have served well over 400,000 older people through free legal representation, education and advocacy. As the only nonprofit public interest law firm in Pennsylvania focused exclusively on protecting the legal rights of seniors, we have targeted the most critical and recurring legal problems facing older Americans: poverty, housing, elder abuse, financial exploitation, consumer protection, grandparents raising grandchildren and intergenerational families, and health and financial life planning needs. Based in center city Philadelphia with offices in Bucks, Delaware and Montgomery counties, with a Chester County office opening soon, SeniorLAW Center's staff of attorneys and advocates and corps of pro bono partners seek access to justice for thousands of diverse seniors in need each year. Through its Pennsylvania SeniorLAW HelpLine, we provide free legal advice, information and advocacy for seniors in all 67 Pennsylvania counties and advocate for long-term solutions to the needs of older people and their loved ones. Our staff of 25, and pro bono partners opened well over 3,000 individual cases this year and educated more than 2,400 seniors about ways to prevent legal problems from occurring. We advocate locally, regionally and nationally for elder justice and elder rights. And we are growing.

AARP, with nearly 1.8 million members in Pennsylvania and 38 million members nationwide, is the largest nonprofit, nonpartisan social welfare organization that strengthens communities and fights for the issues that matter most to families—such as health care, employment and income security, retirement planning, affordable utilities and protection from financial abuse.

AARP and SeniorLAW Center have worked on advocacy issues ranging from voting rights, grandparents' rights and funding for home and community-based programs to preventing elder abuse, financial exploitation and senior poverty. Now SeniorLAW Center and AARP are working together to tap an essential resource—engaging Philadelphia's legal community on a pro bono basis to tackle systemic issues that impact older people through research, consumer education, litigation and public policy

development. Together we will identify ways to decrease devastating abuse, violence and financial exploitation of older people, increase their financial security and strengthen intergenerational families, and save homes and support communities. Issues like senior poverty, homelessness, elder abuse and exploitation, loss of health care and income supports pose devastating threats to older people and are informing the projects adopted to date. We are also looking to the 130 recommendations made by the Pennsylvania Supreme Court's Elder Law Task Force, led by Pennsylvania Supreme Court Justice Debra Todd, and the work of the Court's Advisory Council on Elder Justice in the Courts, for guidance on issues related to elder abuse and exploitation, guardianship and access to justice, and we are proud to have been a member of both entities. See the report and recommendations at <http://www.pacourts.us/courts/supreme-court/committees/supreme-court-boards/elder-law-task-force>.

Systemic advocacy is about changing practices and resources, through legislation, policy and education that intersect with the lives of older Pennsylvanians, their families and loved ones. The projects range in complexity and reach from building an understanding of the change in grandparent rights and custody and the impact of the opioid crisis to what we can learn from the U.K. to develop "age friendly banking," to developing model elder financial exploitation prevention tools to make Pennsylvania a leader in the world. The consumer rights and responsibilities of Social Security recipients who receive their benefit electronically (and what happens when those benefits suddenly disappear from an older person's account, leaving them penniless) and the impact of the CFPB's revised mortgage servicing rule on successors in interest are two current consumer financial projects. Our projects arise from the individual problems our clients bring to our doors and legal staff every day. We will use the power of pro bono to serve not one but thousands of older people.

We are also analyzing protection from elder abuse orders from other states to determine how to develop an effective civil remedy for our use. Currently, Pennsylvania's Protection from Abuse Order (PFA) requires that a familial or intimate partner relationship exist between the alleged abuser and the victim. Pennsylvania's PFA statute (covering adults) addresses only physical and sexual abuse or imminent threats of such abuse, false imprisonment and stalking. Often, the circumstances surrounding the abuse or exploitation of older people occurs without the requisite relationship and the abuse may include emotional and financial abuse which is not covered under our current statute. Cognitively impaired and vulnerable older people are particularly at risk of fraudulent deed transfers by strangers and isolated older people often fall prey to exploitation by a stranger or caregiver. As a result, older victims can find themselves without the appropriate remedies to stop the abuse and to seek redress. They suffer, their families and loved ones suffer, and in some instances the stability of our communities suffer. Elder financial exploitation costs older Americans and their families well over \$2.9 billion each year—and victims of abuse are 300 percent more likely to die prematurely. We seek practical innovations in the way financial exploitation is defined to ensure that it includes many of the ever-changing ways the abuse can occur and who commits the abuse—in person, online and through identity theft by family members, intimate partners, caregivers, other known persons and strangers. We are currently looking to California, Florida and other states for examples of model orders to protect against the exploitation of vulnerable older people.

Emerging issues related to grandparents raising grandchildren are informing the development of an interrelated set of projects that impact the opioid-fueled 82,000, and growing, grandparents who are the sole caregivers for their 89,000 grandchildren in Pennsylvania. We face the challenge of dealing with disparate networks of support for the generations and their diverse needs. Additionally, recent changes to Pennsylvania's child custody law impacts key aspects of how grandparents deal with custody of and care for their grandchildren when their own adult children are simply unable to parent—whether due to addiction, health issues, death, incarceration or even military service. State and federal lawmakers recognize the need to support these "grandfamilies" and SeniorLAW Center was one of the first in the nation to provide targeted legal services to meet their needs, launched over 25 years ago. We are now

eager to find the right pro bono lawyers to support our efforts to impact many intergenerational families in need across Pennsylvania through education and advocacy.

We welcome hearing from lawyers, firms and corporations interested in working with us on these projects, and others, which will have enormous impact on the lives of older people, their families, and all of us. Aging is the universal condition. If we live, we will age. Join us in this work to ensure elder justice is there.

Karen C. Buck, kbuck@seniorlawcenter.org is the executive director of SeniorLAW Center, a nonprofit organization dedicated to seeking justice for older people by using the power of the law, educating the community and advocating on local, state and national levels. SeniorLAW Center serves over 5,000 individual clients each year. Visit www.seniorlawcenter.org.

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