



Oregon Law Institute  
of Lewis & Clark Law School

# Representing Elder Abuse Victims

**W**ith the increase of life expectancy, the population of senior citizens in Oregon is growing rapidly. Elder abuse is an unfortunate and often unreported problem for this growing population. This seminar is for attorneys from many disciplines, including family law, estate planning, elder law, and civil litigation, who serve senior citizens as their clients.

Attorneys will leave this seminar knowing how to identify elder abuse, and if necessary, obtain a restraining order, get a guardian and/or conservator appointed, and use the triple-damage elder abuse statute to recover damages. Participants will also learn about nursing home patients' rights and how to remedy abuse and neglect in long-term care facilities.

**FRIDAY,  
APRIL 18, 2008**

Oregon Convention Center  
777 NE Martin Luther King Jr., Blvd.  
Portland, Oregon

**6.5 General MCLE Credits**

# SCHEDULE

- 8:15 LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 8:40 WELCOME AND INTRODUCTION
- 8:45 - 9:15 **Prevalence of Elder Abuse and How to Identify It**
- General introduction to elder abuse
  - Types of elder abuse (physical, sexual, financial, emotional, neglect, undue influence, or a combination thereof)
  - Characteristics of the abused and abuser
  - Introduction to the law enforcement angle of elder abuse  
– *Rodney K. Hopkinson*
- 9:15 - 10:15 **Assessing Your Client's Capacity**
- General issues in the assessment of capacity
  - Neuropsychological testing and other approaches
  - Bridging the gap between healthcare professionals and attorneys in capacity assessment  
– *Leeza Maron, Ph.D.*
- 10:15 - 10:30 BREAK
- 10:30 - 11:00 **Restraining Orders**
- Overview of different types of orders
  - Elder abuse restraining orders: how to obtain and defend
  - Safety planning for attorneys and their clients  
– *Stephen R. Owen*
- 11:00 - 11:45 **Basics of Adult Protective Proceedings**
- Emergency and temporary guardianships and conservatorships
  - Orders to freeze bank accounts
  - Tips from the bench  
– *Hon. Rita Batz Cobb*  
– *Mark M. Williams*
- 11:45 - 1:00 LUNCH (on your own)
- 1:00 - 2:00 **Investigating Financial Abuse**
- Forensic accounting
  - Discovery
  - Depositions in elder financial abuse cases
  - Effectively presenting your case to the court  
– *Gary Beagle*  
– *James D. Senescu*
- 2:00 - 2:45 **Litigating an Elder Financial Abuse Case Under EDAPA**
- Statutory elements and judicial interpretation
  - Bystander liability
  - Making your client whole and getting paid  
– *Richard H. Braun*
- 2:45 - 3:00 BREAK
- 3:00 - 3:45 **Long-Term Care Residents' Rights**
- Self-determination
  - Privacy
  - Notice of rights  
– *Todd Logan*
- 3:45 - 4:30 **Litigating a Physical Abuse/Neglect Case Against a Long-Term Care Facility**
- Intake and client interview
  - Causes of action
  - Discovery strategies  
– *Richard J. Vangelisti*
- 4:30 ADJOURN

# Program Faculty

**Gary Beagle, MG-NGF, CPG**  
*Beagle, Burke & Associates*

**Richard H. Braun**  
*Attorney at Law*

**Hon. Rita Batz Cobb**  
*Presiding Probate Judge,  
Washington County Circuit Court*

**Rodney K. Hopkinson**  
*Senior Assistant Attorney General,  
Oregon Department of Justice*

**Todd Logan**  
*Oregon Long-Term  
Care Ombudsman*

**Leeza Maron, Ph.D.**  
*Licensed Psychologist,  
Oregon Health & Science University*

**Stephen R. Owen**  
*Fitzwater & Meyer LLP*

**James D. Senescu**  
*Dimitrov & Senescu PLLC*

**Ellyn R. Stier**  
*Program Planner  
Attorney at Law*

**Richard J. Vangelisti**  
*Vangelisti Kocher LLP*

**Mark M. Williams**  
*Gaydos Churnside & Balthrop PC*

## LIVE PRESENTATION

**Portland – 4/18/08**  
Oregon Convention Center  
777 NE MLK Jr. Blvd.

## MCLE CREDIT

*Representing Elder Abuse Victims* will receive 6.5 General MCLE credits.

## PROGRAM PRODUCTS

Even if you cannot attend, you can still get the program on audiotapes, videotapes, CDs or DVDs. Use the order form in this brochure to order your set today! OLI Annual Passholders may purchase the products at 50% off the full retail price.

## QUESTIONS?

Please call OLI at (503) 768-6580 in Portland or toll-free in Oregon at (800) 222-8213, e-mail us at [oli@lclark.edu](mailto:oli@lclark.edu); or visit our Web site at [www.lclark.edu/org/oli](http://www.lclark.edu/org/oli).

## VIDEO REPLAYS

Please register at least one week prior to the replay date.

**Bend – 5/2/08**  
**Replay 8:30 a.m.**  
Bryant Lovlien & Jarvis  
591 Mill View Way

**Eugene – 4/25/08**  
**Replay 8:30 a.m.**  
Harrang Long Gary & Rudnick, P.C.  
360 East 10th Avenue, Ste. 300

**Medford – 4/25/08**  
**Replay 8:30 a.m.**  
Kellington Krack Richmond  
Blackhurst & Glatte, LLP  
23 Newtown Street

**Portland – 5/7/08**  
**Replay 9:00 a.m.**  
Oregon Law Institute  
Gus J. Solomon Courthouse,  
620 S.W. Main St., Suite 706

# Representing Elder Abuse Victims

**Friday, April 18, 2008**

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Please "✓" appropriate box below:

 Live presentation Video replay. Location: \_\_\_\_\_ Date: \_\_\_\_\_

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## TUITION *(Prices apply to live and video replays.)*

- \$169** "Early Bird" tuition *(received by April 14, 2008)*.
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- \$15** OLI Annual Pass holder (Pass No. \_\_\_\_\_).
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Check out our website at [www.lclark.edu/org/oli](http://www.lclark.edu/org/oli)  
or email us at [oli@lclark.edu](mailto:oli@lclark.edu).**

**QUESTIONS?** Call (503) 768-6580 or (800) 222-8213.**CONFIRMATION:** Confirmation will be sent via e-mail or fax.**CANCELLATION POLICY:** Tuition minus a \$20 handling charge will be refunded if the cancellation request is written and received by Monday, April 14, 2008.**NEED ASSISTANCE:** If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.**TUITION ASSISTANCE:** A limited number of scholarships are available based on financial need. Contact OLI.