

**North Carolina State Bar Board of Legal Specialization Supplemental Materials**  
**Elder Law Applicants Only**

By completing this section, I certify that I have practiced elder law an average of at least 700 hours per year (with no less than 400 hours in any one year) **in each of the five years immediately preceding the date of application**, and that **during that same time period**, I have provided legal services in at least sixty (60) elder law matters as defined in Rule .2905(c) of the Plan of Legal Specialization. An itemization of sixty elder law matters in which I have provided legal services in the last five (5) years, and that I am using to satisfy these requirements follows.

**Instructions:**

- The required format for itemizing the elder law matters appears on the page captioned “Itemization of Individual Elder Law Matters.” Make copies of this page and itemize all sixty matters on these copied pages (a minimum of 30 pages will be required). Number each page at the top where indicated.
  - Of the 60 elder law matters, 40 must be in the experience categories listed in Rule .2905(c)(3) (A) through (E), with at least five matters in each category.
  - In addition, ten matters must be in the experience categories listed in Rule .2905(c)(3)(F) through (L), with no more than five matters in each category.
  - The remaining ten matters may be in any experience category of your choosing.
  - Representation of one client may include multiple “legal services” or “matters” as defined in Rule .2905(c). Each “matter” must be listed separately on the Itemization Sheet.
- The experience categories found in Rule .2905(c)(3) are listed on the next page.
- You must complete the page entitled “Itemization Master Grid” to assure that you have listed and described all 60 matters. A check mark for each “itemized matter” in the appropriate column will identify that “matter” in one of the areas specified in Rule .2905(c)(3)(A) through (L).
- To maintain client confidentiality, **do not identify individual clients**. Keep for yourself a separate “reference list” of client matters that you have included. This is necessary in the event the Board contacts you for further information. **Do not include this “reference list” with your application.**

**Experience Categories in Rule .2905(c)(3):**

(A) Health and Personal Care Planning including giving advice regarding, and preparing, advance medical directives (medical powers of attorney, living wills, and health care declarations) and counseling older persons, attorneys-in-fact, and families about medical and life-sustaining choices, and related personal life choices.

(B) Pre-Mortem Legal Planning including giving advice and preparing documents regarding wills, trusts, durable general or financial powers of attorney, real estate, gifting, and the financial and tax implications of any proposed action.

(C) Fiduciary Representation including seeking the appointment of, giving advice to, representing, or serving as executor, personal representative, attorney-in-fact, trustee, guardian, conservator, representative payee, or other formal or informal fiduciary.

(D) Legal Capacity Counseling including advising how capacity is determined and the level of capacity required for various legal activities, and representing those who are or may be the subject of guardianship/conservatorship proceedings or other protective arrangements.

(E) Public Benefits Advice including planning for and assisting in obtaining Medicaid, supplemental security income, and veterans benefits.

(F) Special Needs Counseling including the planning, drafting, and administration of special/supplemental needs trusts, housing, employment, and related issues.

(G) Advice on Insurance Matters including analyzing and explaining the types of insurance available, such as health, life, long term care, home care, COBRA, medigap, long term disability, dread disease, and burial/funeral policies.

(H) Resident Rights Advocacy including advising patients and residents of hospitals, nursing facilities, continuing care retirement communities, assisted living facilities, adult care facilities, and those cared for in their homes of their rights and appropriate remedies in matters such as admission, transfer and discharge policies, quality of care, and related issues.

(I) Housing Counseling including reviewing the options available and the financing of those options such as: mortgage alternatives, renovation loan programs, life care contracts, and home equity conversion.

(J) Employment and Retirement Advice including pensions, retiree health benefits, unemployment benefits, and other benefits.

(K) Counseling with regard to age and/or disability discrimination in employment and housing.

(L) Litigation and Administrative Advocacy in connection with any of the above matters, including will contests, contested capacity issues, elder abuse (including financial or consumer fraud), fiduciary administration, public benefits, nursing home torts, and discrimination.

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**ITEMIZATION OF INDIVIDUAL ELDER LAW MATTERS \***

**IV. Substantial Involvement**

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Sheet: \_\_\_\_\_ of \_\_\_\_\_

**MATTER NUMBER:** \_\_\_\_\_

Section Number in which falls in Rule .2905(c) (3) (A) through (L): \_\_\_\_\_

Type of Representation or Counsel given: \_\_\_\_\_

Date of matter: \_\_\_\_\_

Ultimate disposition of Matter: \_\_\_\_\_

Check each of the following that apply. Refer to Rule .2905(c)(1).

- a.  Provided advice;
- b.  Drafted legal documents;
- c.  Administered legal directives
- d.  Participated in litigation relative to elder law issue.

**MATTER NUMBER:** \_\_\_\_\_

Section Number in which falls in Rule .2905(c) (3) (A) through (L): \_\_\_\_\_

Type of Representation or Counsel given: \_\_\_\_\_

Date of matter: \_\_\_\_\_

Ultimate disposition of Matter: \_\_\_\_\_

Check each of the following that apply. Refer to Rule .2905(c)(1).

- a.  Provided advice;
- b.  Drafted legal documents;
- c.  Administered legal directives
- d.  Participated in litigation relative to elder law issue.

- Make copies of this page and itemize all sixty matters on these copied pages (a minimum of 30 pages will be required). Number each page at the top where indicated.



