

# PROTECTION OF LEGAL RIGHTS

## When Do You Need a Lawyer?

Older persons may face problems with Social Security, SSI, Medicare, Medicaid, pensions, housing, consumer issues, guardianship, age discrimination, wills and probate, and long-term care. They also may need assistance with planning through advance directives and durable powers of attorney. An attorney may be most valuable in providing help with such problems. Because early consultation with an attorney can prevent serious problems later on, you should consider consulting a lawyer for the following situations:

- before signing a contract to buy, sell or rent a home or other real estate;
- when making a will;
- when signing written contracts with major financial consequences;
- when planning your estate;
- when you are sued or want to sue someone;
- when accidents occur involving personal injury or property damage;
- when you have to access government benefits such as Medicaid or SSI.

An attorney can also provide valuable help with problems involving landlord-tenant disputes, divorce, child custody, and can assist when you are serving as an agent, trustee, executor, guardian or conservator.

## How to Find a Lawyer

If you do not have a family lawyer, you may wish to consult friends and relatives for recommendations. The lists in the Helpful Contents section at the back of this handbook may be useful in your area. Otherwise, you can also check with the following local agencies, support groups, and professional organizations:

- Area Agency on Aging;
- state or local bar association;
- National Academy of Elder Law Attorneys;
- American College of Trust and Estate Counsel;
- Membership organizations such as the American Association of Retired Persons;
- Alzheimer's Association.

If you cannot afford an attorney, the Virginia State Bar and local bar associations often have information about pro bono programs, which operate for the good of the public and do not charge lawyers' fees. Legal Aid Societies provide such services (*See* "**Legal Assistance**" in the Helpful Contacts section for a partial listing). The Virginia Lawyer Referral Service maintains a list of attorneys who have agreed to provide an office consultation for a nominal fee. The toll-free number is (800) 552-7977 (in Richmond (804) 775-0808).