

Preface

2026–2027 Edition

While “elders” (persons over age 55) (sometimes referred to as “seniors”) have most of the same legal issues as any other segment of the population, they, and their families, also need advice on counsel on a multitude of issues that may not be of as much concern to younger persons. Life planning and estate planning are important. Decisions must be made with respect to Social Security benefits, Medicare, housing options, financial planning, and health care options. Some elders need protection from physical and mental abuse as well as financial exploitation. Elders frequently find themselves caring for parents and, increasingly, providing primary care for grandchildren. This book addresses all these issues. In addition, it includes a comprehensive directory of elder resources as well as over 50 forms.

I began dealing with elder law issues shortly after graduation from law school. In addition, to assisting clients with life-planning issues, I, like many lawyers, found family members asking for my advice regarding caring for grandparents and other older family members. Since adopting two children with special needs, my wife and I have regularly dealt with Social Security and Medicaid, finding housing and housing assistance, and establishing guardianships of the estate and person—all issues facing many elders and their families. As our parents have aged, we have arranged for geriatric care managers, considered assisted living options including memory care, evaluated hospices, utilized home care aides, and advised on estate administration. I have also had to make decisions regarding my own Medicare and Social Security benefits in recent years. I found those issues to be surprising complex and confusing as they applied to me.

These experiences—experiences shared with many others—have guided me in determining topics to cover in this book. Hopefully, this book will be an important for attorneys representing, elders, their family members, and their caregivers.

The book contains numerous helpful forms. However, in using these forms, it is important to use them as a starting point. One should always check to determine whether there have been any statutory or judicial developments. Forms must be customized for the specific needs of clients.

The 2026-2027 edition includes updated information regarding Medicaid and Medicare—particularly with respect to premiums, costs, and eligibility. In addition, the 2026-2027 edition includes the following:

- Updated forms
- Updated Medicare premium information
- Updated Medicaid eligibility information
- New section on qualified charitable distributions (§ 5:76)
- Expanded discussion on when to apply for Social Security benefits (§ 7:2)
- New section on protecting seniors from fraud (§ 12:54.50)
- New section on property wholesalers (§ 12:78)
- New form for appointment of representative for Medicare (Form 34.50)
- New form for authorization to disclose personal health information (Form 34.70)
- New checklist for facility evaluation (Form 50.50)

Thanks to editor Alexi Maggio Schottland for her expert assistance. Readers who have suggestions or comments are encouraged to contact the author at jgrenig@earthlink.net.

October 2026

Jay E. Grenig
Professor of Law Emeritus
Marquette University Law School