



Basic Training For New Staff

Part I: Working with clients and general considerations

1. Legal office basics

- The role of the attorney in working with clients and family members
- Confidentiality
- Communicating respectfully and directly with the client
- Recognizing signs of diminished capacity
- Best practices for meeting privately with the client
- Ethical duties under the rules of professional conduct

2. Establishing the Attorney Client Relationship

- Identifying who the client is and who is not the client
- Use of retainer agreements
- Confidentiality rules and managing third party involvement
 - Phone calls from family members
- Avoiding and identifying conflicts of interest

3. Software and other considerations for each office

- Practice management software
 - Secure email and privacy issues
- Phone systems
- Copiers, scanning, faxing, filing and printing
- Sending letters/certified mail
 - Keeping copies when sending

Part II: Elder Law Basics

1. Estate Planning

- Wills

- Powers of Attorney
- Health Care Proxies
- Drafting and Execution Standards
- Delivering and explaining final documents to the client
- Storage or distribution of originals

2. Probate and estate administration

- <https://www.mass.gov/lists/mupc-hub-documents-instructions-and-resources>
- Counties/filing (in-person vs. e-filing)
- Getting the information/documents from clients Formal, informal, voluntary, guardianship, conservatorship
 - Notice of hearing, publication, service, and letters of authority
- Registry of deeds.

3. MassHealth Applications

- <https://www.mass.gov/how-to/apply-for-masshealth-coverage-for-seniors-and-people-of-any-age-who-need-long-term-care-services>
- Medicare vs. Medicaid
- Application
- Income and Assets
- 5-year look-back period (discuss resource transfers)
- Submitting the application

Part III. Closing the case

- Termination of representation letters
- Ethical obligations at the end of representation