

LAWS 3016 ELDER LAW

Credit Points 10

Legacy Code 200632

Coordinator Richard Mccullagh (<https://directory.westernsydney.edu.au/search/name/Richard Mccullagh/>)

Description This unit examines law relevant to an aging community. The legal issues are examined in a broad social, cultural and ethical context. Issues of legal capacity relevant not only to the law of contracts but also to medical treatment and end of life decisions are considered. Similarly the law relating to areas of special importance to the elder community such as age discrimination, pensions, retirement villages, wills and estate planning are also discussed.

School Law

Discipline Business and Commercial Law

Student Contribution Band HECS Band 4 10cp

Check your HECS Band contribution amount via the Fees (https://www.westernsydney.edu.au/currentstudents/current_students/fees/) page.

Level Undergraduate Level 3 subject

Pre-requisite(s) LAWS 2013 AND LAWS 2003

Equivalent Subjects LGYB 0409 - Elder Law

Learning Outcomes

On successful completion of this subject, students should be able to:

1. Critically evaluate the legal, policy, moral and practical issues concerning Substitute Decision Making for older people.
2. Identify and analyse the legal, policy, moral and practical issues that may concern older people in relation to discrimination, abuse, accommodation and retirement finances and estate planning.
3. Communicate clearly, accurately, logically and persuasively.

Subject Content

Introduction to Elder Law
 Policymaking and the older person
 Legislation affecting older persons
 Role of the Guardianship Division of NCAT
 Role of the NSW Trustee and Guardian
 Role of the Public Guardian
 Substitute Decision Making
 Elder Abuse
 Discrimination
 Accommodation issues
 Medico-legal issues associated with aging
 Privacy and Confidentiality
 Grandparenting
 Financial issues
 Multicultural issues associated with ageing
 Making or not making a will
 Family Provision
 Where to from here?

Assessment

The following table summarises the standard assessment tasks for this subject. Please note this is a guide only. Assessment tasks are

regularly updated, where there is a difference your Learning Guide takes precedence.

Item	Length	Percent	Threshold	Individual/ Group Task
Quizzes	20 minutes	20	N	Individual
Essay	1800 words	40	N	Individual
Final Exam (Take Home)	24 hours	40	N	Individual

Prescribed Texts

- McCullagh, R, Australian Elder Law (Thomson Reuters, 2018)

Teaching Periods

Spring

Parramatta - Victoria Rd

Day

Subject Contact Richard Mccullagh (<https://directory.westernsydney.edu.au/search/name/Richard Mccullagh/>)

View timetable (https://classregistration.westernsydney.edu.au/even/timetable/?subject_code=LAWS3016_22-SPR_PS_D#subjects)