



*Take time to review the annual VAELA newsletter from the Communications & Member Relations Committee!*

**VAELA celebrates the activities and milestones of  
the past 12 months and looks forward to all that 2023 holds!**

### **OFFICERS AND BOARD ELECTIONS**

In 2022, the following Officers and Board Members were installed:

**President:** Scott N. Alperin  
**Vice-President:** Jesci Norrington  
**Treasurer:** Stephen E. Taylor  
**Secretary:** Angela N. Manz  
**Immediate Past President:** Vera L. Golenzer

### **DIRECTORS**

*Serving two-year term ending June 30, 2023*

Gorham (Rory) Clark  
Ross C. Hart  
Melanie M. Lee  
Christopher M. McCarthy  
Elizabeth McMaster  
Lelia Winget-Hernandez  
Edward (Ed) Zetlin

*Serving two-year term ending June 30, 2024*

Stephen D. Burns  
Virginia C. Haizlip  
Amy E. McCullough  
Andrea Morisi  
Hanna L. Rodriguez  
Sarah M. Saville  
Matthew J. Yao

The **Communications and Member Relations Committee** is pleased to announce the roll-out of one new program and the re-tooling of another for 2023. VAELA will be producing a CLE webinar “What all Virginia Lawyers Need to Know About Dealing with Clients with Diminished Capacity”. This webinar, coordinated by Simon Stapleton, will be offered in time to be helpful for those looking to satisfy their 2023 continuing education requirement and will showcase how the specialized knowledge of our membership can be useful to the wider profession. VAELA has also appointed a Mentor Czar, Ari Sommer, to coordinate the valuable VAELA Mentorship Programs and connect new elder law

lawyers with experienced practitioners. If you are new to elder law and would like to find a mentor, or if you have a practice that has concentrated on elder law for more than five years and you'd like to help "pay it forward," please write to VAELA's Executive Director, Patty McSherry ([pmcsherry@vaela.org](mailto:pmcsherry@vaela.org)) to request a connection.

The **Education Committee** was delighted to have Natalie Choate, Esq. speak at the successful 2022 *UnProgram*! The Committee is excited to announce a return to two in-person programs in 2023, and we hope you will make plans now to join us for the (modified) 2023 *UnProgram* planned for Thursday, March 9 - Friday, March 10 at the Williamsburg Lodge. A Fall Conference is planned for September, and details will be announced next year. In 2024, the Education Committee is planning to return to the traditional 2 ½ day *UnProgram* in early spring and a one day Fall Conference in September.

The Committee also thanks VAELA members Doris Gelbman, Ann Green, and Ross Hart for hosting the monthly member Zoom Follies!

The **Finance Committee** is pleased to report that VAELA continues to maintain a stable financial position despite the disruptions and uncertainties of the past several years. In order to continue this trend in 2023, Members are encouraged to renew their memberships early and to attend the *UnProgram* in March 2023 and the Fall Conference in the fall.

The primary focus of the **Governance & Management Committee** will be to move forward in implementing the Strategic Plan, and update the Policies and Procedures Manual, with the support of the Board and Committee Chairs.

The **Public Policy Committee** began 2022 with its annual task of monitoring and responding to legislation introduced in the General Assembly. In particular, the Committee worked closely with legislators on several guardianship bills. This included reviewing draft legislation and offering suggested revisions, discussing the legislation over many zoom or phone calls with the patrons, and testifying before Senate and House committees. Many of the bills that the Committee identifies as relevant do not make it into law, but a summary of those bills that were signed into law is contained in the 2022 Legislative Summary circulated to members in the Spring, and discussed at a CLE provided by the Committee.

Our proposed budget amendment to try to equalize the qualification process between Community-based and institutional Medicaid long term care was not part of the budget. However, after meetings with patrons and with DMAS, we are pursuing that budget amendment again.

Over the summer, Committee members participated in two guardianship related legislative workgroups. One was aimed at addressing coming-of-age guardianships and how those could be improved to make the process less burdensome for parents. The second was for in-person visitation requirements for guardians. The workgroup did not come up with a consensus, and we have just been notified that Delegate Roem is introducing legislation that would require guardians to visit their incapacitated adults once every 90 days, with a mix of in-person and virtual visits permitted, and some visits by surrogates permitted.

The Committee has sponsors for two of its own guardianship bills. The first would specifically authorize a Guardian *ad litem* to obtain information from a financial institution. While this is already

done in practice through a well-drafted GAL order, it is not currently in the statute. We are told that having it in the statute will facilitate the ability of financial institutions to develop consistent protocol, making the job of the GAL easier.

The second bill would direct the petitioner to file both the evaluation report and list of financial information of the Respondent via private addendum. The bill would then require the petitioner to provide that information only to those interested *persons* who go so far as to become parties in the case.

As always, we welcome all members to join the Committee for whatever level of commitment they can make. In January we will be reviewing new legislation, responding to legislators, pursuing our own agenda items, and reporting to members.

As you are probably aware, the General Assembly alternates between meeting in short session and long session. This year is a short session year, so the number of bills to be filed has been capped at 15 per legislator. This means that we will have fewer bills to monitor than last year. However, since issues affecting the elderly and disabled have been in the spotlight for the past few years, we do still expect the 2023 Session to be a very busy one. If you would be interested in helping with the work of the Public Policy Committee, please reach out to Steve, Rhona or Amy and we can add you to the committee list. Thank you!