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Learning by the Lake: Clinic Program Brings Elder Law Update to Canandaigua Audience

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Passing fancy

UB Law grads achieve higher passing rate on the state bar exam

An increase in the rate at which new graduates of UB Law School succeed on the New York State Bar Exam has instructors, administrators and students celebrating.

In July, among UB graduates taking the bar exam for the first time, 80.2 percent passed. That rate, about 3 points above the state average, was up 7 points from the previous mark for UB grads.

Melinda R. Saran '86, vice dean for student affairs, works with students to ensure bar passage. She cited several factors for the welcome increase, including the strong academic credentials of UB Law students.

During the spring semester, she said, third-year students are offered a free six-session bar-preparation course by BAR/BRI, the commercial review company. The course reviews the scope of the two-day exam and addresses essay writing and substantive topics.

"What we try to impress on them,"



Melinda Saran '86, vice dean for student affairs

Saran said, "is that you have to take it seriously; you need to study. If you do all these things, you won't have to be back in February. I impress on them that you only want to do this once."

For those who do not succeed on their first try, she said, "you have to wait six months to take it again; you could lose a job offer; your loans come due. It is a very difficult situation."

Diane F. Bosse '76 views the test results from her standpoint as chair of the state Board of Law Examiners. She is also a trustee of the National Conference of Bar Examiners.

"The bar exam is designed to measure whether candidates have the knowledge, skills and abilities that they need for en-

try-level practice," Bosse said. "The increase in the bar passage rate at UB indicates that UB Law graduates are better prepared to enter the practice of law, and that is very significant."

"It means that everybody there is doing a better job, and they have achieved this result while maintaining UB's commitment to having a diverse student body. They are not just passing the bar exam in better numbers, but they are better prepared to practice. I am proud of what UB Law has done."

Bosse speaks at the Law School to prospective exam-takers, to try to demystify what seems like a daunting ordeal. "I try to tell them a little about the basics of the bar exam so they understand what it looks like, what it is, what the questions are based on," she said. "Things like understanding the structure of the essays and the importance of reading closely and answering the question, and not volunteering a lot of extraneous information, as well as how we grade the exam."

"There is so much hype and myth that surrounds the New York bar exam," Bosse said. "Calming people down is a big issue. These are people who have been successful in their lives, and they should not be deterred by a lot of the hype that surrounds the New York bar exam. It is a test, but law students are used to taking tests."

Learning by the lake

Clinic program brings elder law update to Canandaigua audience

The complex administration of the federal government's new prescription drug plan for older Americans – Medicare Part D – was the centerpiece of an educational outreach by UB Law School's elder law clinic. It was the clinic's first such initiative in Canandaigua, in the Finger Lakes region of New York State.

Sponsored by the newly renamed William and Mary Foster Elder Law Clinic, and co-sponsored by Legal Assistance of the Finger Lakes, the May 13 program featured the clinic's director, Professor Anthony Szczygiel, discussing the choices that will face Medicare enrollees for the drug plan beginning Jan. 1, 2006.

"We like to say that the clinic has the same goals on which faculty are evaluated for tenure: scholarship, teaching and

public service," Szczygiel said. "This was a public service effort."

Canandaigua is the hometown of clinic benefactor Mary Foster, who had a distinguished career in public health in New York State. Foster's financial adviser, Merrill Lynch, helped underwrite the cost of the presentation, and Foster herself – who in retirement maintains a keen interest in elder care – was present.

About 100 people – social workers, health care professionals, Office for the Aging staff, lawyers, hospital discharge planners, case managers and others concerned with the welfare of elderly people – attended the free conference.

Following the Medicare presentation, breakout sessions provided information and education on health care proxies, powers of attorney and guardianships; VA

and long-term care services in the Finger Lakes region; choices in home care; and Medicaid payments for long-term care.

Since founding the clinic in 1982, Szczygiel has done similar trainings throughout the western part of New York, and for the elder law sections of the Erie County and New York State bar associations. Students in the clinic help organize and assemble materials for the events.

"We see our service area as all of New York State, and certainly upstate New York," Szczygiel said. "There is a huge need in the community for folks to know about long-term care. The funding mechanisms are very complicated, and many consumers qualify for more than one source of funding."

How to access and pay for long-term care is also the focus of the William and Mary Foster Elder Law Clinic, formerly called the Legal Services for the Elderly Clinic. Under Szczygiel's direction, law students in the program work on "live" cases with clients at the Legal Services for the Elderly office in downtown Buffalo, practicing such skills as client counseling, negotiation and conducting administrative hearings.