

CHAIR



Michelle Burke, Anthony Harper, Auckland

Michelle has over 20 years experience in providing legal advice to both owners and residents in retirement villages and aged care facilities and is a partner at Anthony Harper, heading their retirement village team. Her practice has exposed Michelle to many of the legal issues that arise when dealing with older clients.

SPEAKERS



Vicki Ammundsen, Vicki Ammundsen Trust Law, Auckland

Vicki is a trust practitioner. She has an appreciation of the issues that confront older clients in the context of and interaction between estate planning, residential care subsidy concerns, relationship, family and trust related issues.



Catherine Atchison, Martelli McKegg, Auckland

Catherine is a partner in the Estates and Trust Administration department and has wide experience in wills, trusts and estate, as well as the increasing elder law practice arising from her private client base. She is an executive member of STEP and has presented papers for NZLS CLE and ADLS on trusts, estates and elder law issues.



Theo Baker, Health and Disability Commissioner, Auckland

Theo has held position of Deputy Commissioner (Complaints Resolution) since 2011. She first joined the litigation team at HDC in 2000 after ten years' experience as a lawyer in private practice. From 2004 to 2009, Theo held the statutory role of Director of Proceedings a HDC, combining regulatory prosecution and civil litigation with management functions. She is a contributor to the legal publication, The Essentials of Elder Law, and has also written on the role of New Zealand's Human Rights Review Tribunal in upholding the rights of health or disability services consumers.



Jenny Baldwin, Anthony Harper, Auckland

Jenny provides specialist advice in retirement village law. She is particularly experienced in the preparation of compliance documents, general operational advice and dispute resolution. Jenny acts for a range of operators, from large national groups to small charitable entities, and also advises statutory supervisors.

SPEAKERS



Thersea Donnelly, Legal Services, Ministry of Social Development, Auckland

Theresa is a specialist in social security law. She graduated from Auckland University in 1991, was admitted in 1992 and has worked in several private practice litigation areas as well as in-house counsel within the public sector. Theresa was a solicitor for Land Information New Zealand before taking employment as a senior solicitor for the Ministry of Social Policy in 2000 (subsequently MSD). She has presented several webinars and seminars for NZLS CLE and ADLS.



Annette Gray, Buchanan Gray, Wellington

Annette is a Family Court practitioner with 25 years' experience. She has a broad experience in all aspects of family law but has a particular interest in rights based law. Annette has been counsel for subject person for many years and is currently a District Inspector of Mental Health. She spent a year doing volunteer service abroad acting as legal counsel for the Family Support Centre, an NGO, providing education and legal support mainly to women in domestic violence and child custody cases.



Jeremy Johnson, Wynn Williams, Christchurch

Jeremy is a partner in the Litigation & Dispute Resolution team specialising in commercial, equity and trust law. He has been involved in numerous elder law cases in his career, including applications under s 14 of the Wills Act 2007 and Family Protection Act claims against significant Estates. Jeremy also acts for a number of private clients in disputes relating to trusts that hold significant business assets. He is recognised by Chambers 2015 Asia Pacific and Global Directories as being an “up and coming” practitioner in the field of Dispute Resolution.

CONTENTS

In session order

Enduring Powers of Attorney

The Protection of Personal and Property Rights Act 1988 (PPPR Act) and Enduring Powers of Attorney (EPOA) 1

Annette Gray

The Protection of Personal and Property Rights Act 1988 and Enduring Power of Attorney 11

Catherine Atchison

Residential Care Subsidies Update – Gifting, Income Issues and Developments

Residential Care Subsidies update – gifting, income issues and developments 33

Theresa Donnelly

Health and Disability Commissioner Complaints

The role of the Health and Disability Commissioner Act in the promotion and protection of the rights of the elderly 51

Theo Baker

Family Protection Claims and Wills

Contentious Estates: Claims under the Family Protection Act 1955 and the Wills Act 2007 65

Jeremy Johnson

Advising on Moving into Retirement Villages

Advising on moving into retirement villages 77

Jenny Baldwin

Trust Issues for our Older Clients

Practical considerations relating to asset and estate planning 95

Vicki Ammundsen

CONTENTS

Alphabetical by author/presenter

Author		Title	Page
Ammundsen	Vicki	Trust Issues for our Older Clients	95
Atchison	Catherine	Enduring Powers of Attorney	11
Baker	Theo	Health and Disability Commissioner Complaints	51
Baldwin	Jenny	Advising on Moving into Retirement Villages	77
Donnelly	Theresa	Residential Care Subsidies Update – Gifting, Income Issues and Developments	33
Gray	Annette	Enduring Powers of Attorney	1
Johnson	Jeremy	Family Protection Claims and Wills	65