

Jerold E. (Jerry) Rothkoff, Esq.

Jerry Rothkoff's advocacy-based vision of "elder care law," serves as an optimistic and reassuring model for those involved in this field.

Jerold E. Rothkoff, Jerry to many, is the principal of the Rothkoff Law Group with offices in Cherry Hill and Turnersville, New Jersey, and Philadelphia and Treviso, Pennsylvania. He has held major leadership positions related to elder law, and has served as President of the New Jersey Chapter of the National Academy of Elder Law Attorneys, and of the Life Care Planning Law Firms Association. But he didn't quit there. Rothkoff also is the former Chair of the New Jersey State Bar Association Elder and Disability Law Section, an active member of the Pennsylvania Bar Association Elder Law Section and the National Academy of Elder Law Attorneys, and frequently lectures on elder law topics.

His long list of professional credentials is topped off by his work as an author and editor in the field of elder care advocacy, notably the *South Jersey Guide to Senior and Disability Resources*,



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es, The Southeastern Pennsylvania Guide to Senior and Disability Resources, and Law Points for Senior Citizens. In addition, he founded and writes for the *Rothkoff Quarterly*, a publication covering current news and issues concerning seniors and people with disabilities.

Rothkoff also devotes impressive energy to charitable work advocating for vulnerable people in the community. He is active in the Alzheimer's Association and serves on the Boards of Directors of the Twilight Wish Foundation,

the Delaware Valley Stroke Council, and the Jewish Family and Children's Service of Southern New Jersey.

Jerry's high energy, hard work, expertise, and humility, combined with his advocacy-based vision of "elder care law," serve as an optimistic and reassuring model for those involved in this field. Jerry's own source of inspiration is his family. He and his wife Erica met on a blind date and have been married for 20 years. They have five children, 18-year-old identical twin girls, Liza and Julia, 15-year-old fraternal twin boys, Evan and Gregory, and 6-year-old Aitan. I asked Jerry to name his passions in life, his answer: "My family, elder care law, baseball, and Bruce Springsteen."

Elder Care Advocacy

Jerry's dedication to care advocacy is contagious. Those who have the pleasure of getting to know him are inspired by his enthusiasm when he discusses his clients and his staff. The tenor and pace with which Jerry speaks about them makes it clear to me that his dedication to elderly communities still brings him joy 25 years into his career.

A shorthand term for what Jerry is doing is elder care advocacy. This kind of law is not practiced in a traditional law office. In fact, Jerry's elder care law practice is quite different. In a care-based rather than asset-based firm, Jerry's focus is the care and housing needs of the cli-

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The Rothkoff family trip to Oregon.

ent in his or her current health and family situation. The wide range of concerns and services includes asset protection, Medicaid, and other public benefits, but the client's assets are not the primary focus. Instead, the first question is where and how the clients want to live and how they will get the health care and other services he or she needs. Akin to holistic medicine, this approach requires Jerry to navigate through multiple aspects of the client's situation, and often requires him to deliver a range of coordinated legal solutions.

Rothkoff's career evolved out of a traditional civil litigation background. Jerry is a native of the Philadelphia area. After graduating from Syracuse University in 1986, and Widener University School of Law in 1993, he started as an associate at a Philadelphia litigation boutique firm, handling civil matters like nursing home liability cases. This is where his interest and knowledge of nursing home standards, practices, and geriatric issues blossomed.

NAELA Conference Was a Turning Point

Jerry caught sight of a NAELA conference notice scheduled to be held in Philadelphia in 2000 and by chance decided to attend. He knew virtually nothing about elder law or NAELA

but having seen the passion of the attendees and speakers, Jerry was hungry for more. That same night, he announced to his wife that he would be an elder law attorney. He learned the field from the ground up, and the following year left the litigation firm he had worked at for 7 years. "I wanted to cut right to the solution," Jerry remembers. At the age of 30, with a wife and 1-year-old twins, he opened his elder law practice in Cherry Hill, New Jersey in February 2001.

Jerry became active in NAELA and attended the conferences and meetings for 10 consecutive years. In the early 2000s, his practice was primarily concentrated on public benefits planning and Medicaid issues. During this time, many elder law practices were similarly focused. Often, an attorney's job was done when the client's Medicaid application was approved.

But one of Jerry's most vivid NAELA memories was a turning point in his life. As part of the 2005 Conference program in San Francisco, he attended a Giants game with colleagues. At the game, he started a conversation with an attorney who was convinced of the importance of offering services beyond public benefit planning, and passionate about integrating care planning into his services. That attorney was Miles



The Rothkoff boys root on the Syracuse Orange.

Hurley of Atlanta, who became one of Jerry's closest professional friends. Hurley's original inspiration, along with the vision and guidance of Tim Takacs, along with many others, was instrumental in Rothkoff's evolution into a care and advocacy-centered law practice.

At that point, it hit me," Jerry says. "There was a piece missing — the advocacy piece. People want navigation." Instead of the successful Medicaid application being the conclusion of his representation, it could be just the beginning. There was a huge unmet need for expertise and direction through a maze of housing and health care choices. From then on, Jerry has worked hard to build a law firm based on care advocacy.

A Team Effort

Jerry's firm performs care advocacy for all clients, whether or not benefit issues are involved. His firm emphasizes practical measures and solutions to fit the client's circumstances. It also assesses the client's current health needs, acuity level and living goals, and uses this information to obtain the best care and living circumstances possible, given the client's resources. The firm does

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Advocacy According to Springsteen

Jerry Rothkoff, this month's featured member, waxes poetic about elder law with some help from Bruce.

I just completed reading *Born to Run*, Bruce Springsteen's recently published autobiography. Being from New Jersey, I am a huge Springsteen fan. Using an inspiration in the common man, Springsteen manages to merge poetry and prose together in a highly unique way.

From a marketing perspective, it is always important to attempt to structure your firm's marketing message to your audience. Our audience is likely to be the 45- to 65-year-old caregiver child. At least in New Jersey, the caregiver child can at least relate to Springsteen, if not also being an ardent fan.

I learned early on in my elder law career, that I was not going to be able to draft a trust or will any better than another elder law attorney in the next town from my office. I realized what can help distinguish me from others is the ability to engage in health care advocacy. Cli-

ents and their caregivers were coming to our office with typically more pressing issues than simply "protecting the money." Issues such as how to convince dad to leave the home to keep him safe, how to best take away dad's car keys, and how therapy can be maximized under insurance coverage. I saw that I needed to do more to truly address our clients' ever-increasing concerns. My goal is to first help ensure that clients get the best care possible, and then attempt to protect valuable assets. This is the reason I became a life care planning attorney.

As a tribute to Bruce, our clients, their caregiver loved ones, and all elder law attorneys, I present 10 Springsteen quotes describing what we elder law attorneys love to do.

I'm just tired and bored with myself. – *Dancing In the Dark*¹

We may have specialized in other areas of the law prior to elder law. Elder law has helped energize us in a way that eluded us in our first years in practice.

My heart's dark, but it's rising. I'm pulling all the faith I can see.

– *Mary's Place*²

Our clients come to us sometimes in what they perceive to be desperate situations. We are able to advocate to get the best care for a loved one and to figure out how to pay for quality care.

We learned more from a three-minute record than we ever learned in school.

– *No Surrender*³

We have probably learned more from our clients than they have learned from us. The most important thing we have learned is to listen. Listen to the clients' wonderful stories about the wars they have fought, the places they have been, and the people they have met. We have much to learn from the elderly and people with disabilities, and they have much to share.

You've got to learn to live with what you can't rise above.

– *Tunnel of Love*⁴

A disability does not define who our clients are. Regardless of the disability, many clients continue to lead productive lives.

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1 Bruce Springsteen, *Dancing In the Dark*, on *Born in the U.S.A.* (Columbia 1984).

2 Bruce Springsteen, *Mary's Place*, on *The Rising* (Columbia 2002).

3 Bruce Springsteen, *No Surrender*, on *Born in the U.S.A.* (Columbia 1984).

4 Bruce Springsteen, *Tunnel of Love*, on *Tunnel of Love* (1987).

As a tribute to Bruce, our clients, their caregiver loved ones, and all elder law attorneys, I present 10 Springsteen quotes describing what we elder law attorneys love to do.

The release date is just one day, but the record is forever.

– Bruce Springsteen on the release of *Born to Run*

Sometimes, after a client passes away, we read his or her obituary. We sometimes are awestruck at what our client has accomplished during his or her lifetime. We need to be more aware of what our clients' accomplishments are.

Everything dies baby that's a fact, and maybe everything that dies, someday comes back.

– *Atlantic City*⁵

We deal with a client's death on a regular basis. However, our clients' legacies live on.

5 Bruce Springsteen, *Atlantic*, on Nebraska (Columbia 1982).



It ain't no sin to be glad you're alive.

– *Badlands*⁶

It is a very emotional event to place a spouse or parent in a nursing home. Our goal is to assist a caregiver loved one to make the best care decision possible.

The narrative you tell together is bigger than anyone could of told on their own.

– Bruce Springsteen on the induction of the E Street Band into the Rock & Roll Hall of Fame

We need to thank our dedicated and talented elder law office team for their continued commitment to advocacy for seniors and those with disabilities. You are only as good as the people you associate with. We have been and continue to be privileged to work with wonderful people.

6 Bruce Springsteen, *Badlands*, on Darkness on the Edge of Town (Columbia 1978).

Nothing matters in the whole wide world when you're in love with a Jersey girl.

– *Jersey Girl*,⁷ lyrics by Tom Waits

Usually, you have a driving force behind you to help you succeed. In my case, that driving force is a Jersey girl named Erica, my wife.

Talk about a dream, try to make it real.

– *Badlands*⁸

As dedicated elder law attorneys, our goal was to find a specialty within the legal profession that would give us the opportunity to help people. It has been an honor and privilege assisting seniors, those with disabilities, and their families. It is a debt of gratitude that we can only hope to repay. ■

7 Bruce Springsteen, *Jersey Girl*, on Cover Me (Columbia 1984).

8 Bruce Springsteen, *Badlands*, on Darkness on the Edge of Town (Columbia 1978).

- Ability to maintain usual social relationships and interactions
- Legal issues when a partner is diagnosed with MS and options to consider
- Will MS diagnosis affect child custody?
- Will MS diagnosis affect visitation rights?
- Will MS diagnosis affect child support?
- Will MS diagnosis affect alimony or maintenance?
- Special needs trusts

Coordinating Attendant Care and Available Resources

Presented by Stephen Dale, Esq., LLM

- Different types of personal caregivers
- Medicaid eligibility and resources
- Using Medicaid-based attendant care services

Property and Health Care Decision-Making Agents:

An Overview

Presented by Mary Alice Jackson, Esq., Fellow

- Individual planning process
- The who, what, when, how, and why of planning
- Expectation for incapacity
- Documents pertaining to health care
- Property management
- Power of attorney
- Trust
- Guardianship ■

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concern itself with asset protection and public benefits as necessary, but the overriding goal is to find and place the clients in the best possible situation. This means working with nursing and health care facilities. Rothkoff concerns himself with everything client-related: fine-tuning discharge plans, coordinating with hospices, analyzing the client's insurance coverages, assisting in appeal processes, identifying assisted living options and recommending plans of care for home care, to name a few. Jerry puts special emphasis on recognizing the expertise of those working with him at his firm. He works with a team that includes other lawyers, geriatric care coordinators, paralegals, and support staff. The team is deployed in a strategic way so that they can be most effective in navigating clients through the system. For instance, geri-

atric care coordinators are assigned to particular counties in Pennsylvania and New Jersey so that each coordinator gets to know all of the local procedures and agency personnel. Jerry calls them his "eyes and ears on the ground."

He is unequivocal that it is his staff that allows him to do his work. Because of the nature of the practice, there are a great number of deliverables, and consequently, his staff's expertise is crucial. He strongly believes that a "successful practice is never about you, because you can't do it by yourself." Rothkoff sums it up as one of the most important truths he has learned throughout his career: "You're only as good as the team that surrounds you." And there's no doubt that Jerry is as good as they come. ■

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