

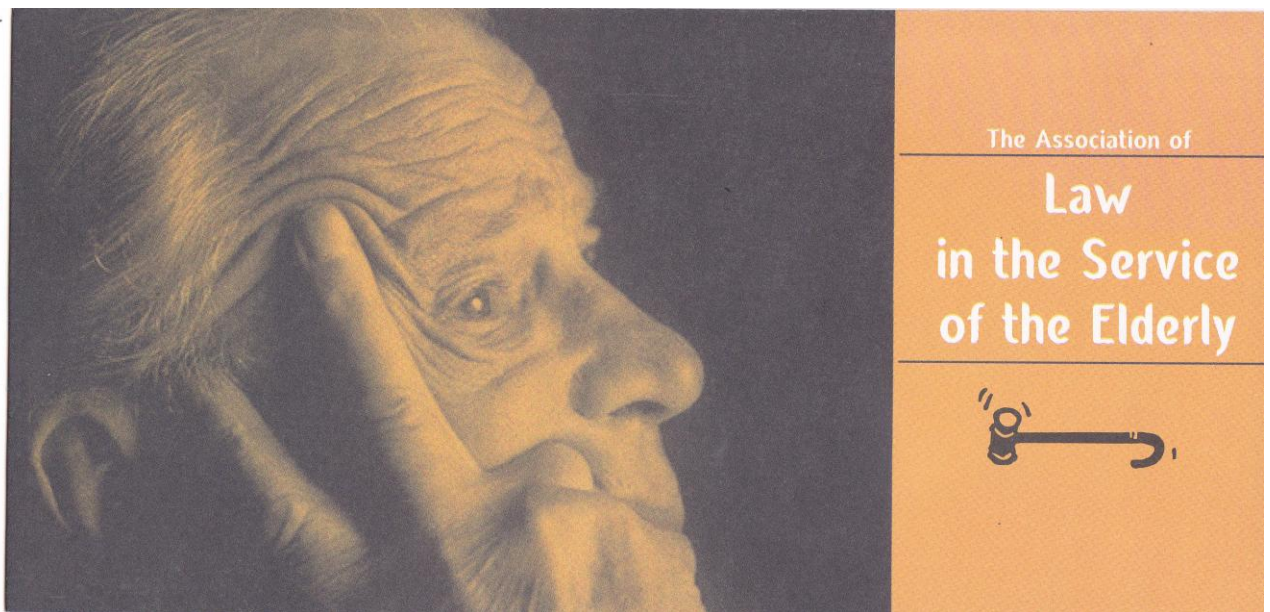


جمعية القانون في خدمة الشيخوخة

Law in the Service of the Elderly

Law in the Service of the Elderly –LSE

ISRAEL



Organizational Profile and Annual Report (2011)



General information:

Name: **Law in the Service of the Elderly**

Address: P.O.B. 843, Haifa, ISRAEL 31000

Telephone: 972-4-866-0777

Fax: 972-4-866-0776

E-mail: elderlaw@walla.com

Web site: www.elderlaw.org.il

Facebook: <http://www.facebook.com/elderlawisrael>

Contact persons:

Head of Board: Dr. Israel Doron 972-4-8249954

Director and Legal Advisor: Adv. Carmit Shay 972-4-866-0777 / 972-54-650-5374

Date of establishment: 2002 (January 14)

Legal form of organization: Not-for-profit association, Not Governmental organization, legally registered.

Board of Directors:

Dr. Israel Doron, The Head of Department of Gerontology, Haifa University, Haifa.

Attorney Neta Erez, Private Law Firm, Haifa.

Attorney Yael Pinkas, Private Law Firm, Haifa.

Social Worker Ayelet Herman, "AMCHA" – Holocaust Survivors Support, Haifa.

Prof. (Emeritus) Moshe Fibich, *Tecnion*, Haifa.

Litigation Committee:

Attorney Adam Fish, Ben-Ari Fish Law Firm, Haifa;

Dr. Ilan Saban, Faculty of Law, Haifa University, Haifa;

Prof. Moshe Cohen- Elia, Dean of the Faculty of Law, Academic Center for Law and Business,



Ramat Gan.

Audit and Supervision Committee:

Adv. Ron Bernat, Berant Law Firm, Haifa; (until May 2011)

Social Worker Chaya Idelman, Haifa University, Haifa.

Social Worker Anat Ben Eli Aviv, Haifa.

All the above are volunteers except of the Director.

General Profile

Law in the Service of the Elderly is a non-profit, non-governmental organization (NGO) established in early 2002 by a group of lawyers, social workers and academicians who wanted to promote the rights of the older population in Israel via legal means. The organization operates in various ways to combat discrimination against Israeli citizens based on their age and to combat negative images and stereotypes of older persons that cause this population to be sidelined and excluded from active life in Israeli society and results in the violation of their basic rights. What makes this organization unique is the focus of its activities in the legal arena and its expertise in using legal tools, in their broad context, in order to change the social situation of older persons in Israel.

Vision and goals

The organization's vision: To continue to be a leading organization in Israel in the field of protecting and promoting the human and civil rights of older persons in Israel, via the use to a variety of legal strategies for social change.



The organization's goals (as they appear in the establishment form)

- A. Protecting and promoting the status and rights of older persons in Israel;
- B. Education and the dissemination of information on the rights of older persons in Israel;
- C. Providing legal advice and representation to older persons in Israel;
- D. Promoting legislation in Israel in the field to older persons' rights;
- E. Establishing a computerized, internet-based database on aging and the law;
- F. Involvement in and cooperation with organizations and institutions that influence older persons' rights in Israel and worldwide.

In 2012 the Organization has only 32 members but its serves thousands every year and do advocacy for all the elderly in Israel. The Annual Members' fees are 12\$ to senior citizens and 25 \$ to others.

Description of the organization's strategies and activities

The organization's strategies for change:

The general strategy for social change, in which the organization believes, is that the law is the tool that is capable of effectively and dramatically bringing about the desired social change - the promotion of the status and rights of older persons in Israel. This supreme strategy yields many methods of operation designed to realize the organization's goals.

These methods of operation include:

- A. Identifying principle legal issues concerning the rights of older persons in Israel that can be addressed via legal means, particularly via petitions to the High Court of Justice and the administrative courts; Preparing petitions and representing the petitioners before the High



Court of Justice and the administrative and other courts in principle legal issues involving the rights of older persons in Israel; Since its establishment LSE led many wide impact cases on issues such as age discrimination in working and volunteering, case against the mandatory retirement age from work. Also cases on Social Security rights such as right for service for long term care at home and pensions. LSE is well known as the leading organization of elder rights and there for frequently write Amicus briefs in many cases in the Israeli court system.

- B. Monitoring the government's activities (including the local government), with a focus on the relevance of those activities to the status and rights of older persons; warning of possible infringement or ignoring of those rights and raising awareness of the rights of older persons to the public agenda on the national and municipal level. This includes the establishment of a mechanism that can both monitor and issue reactions in real time, using the media to disseminate information on the subject and increase awareness of the organization's activities. LSE writes its comments to any relevant governmental committees that affect the elderly in Israel. In last few years LSE wrote comments to committees on issues such the retirement age for women, guardianship, pensions, terminally ill issues and long term care issues.
- C. Preparing and providing legal information and advice to older persons, their families and professionals assisting them in matters concerning older persons' rights. In the last six years LSE published six handbooks on the following rights: legal planning for the elderly; Legal-Medical Planning; Residents' Rights in Long Term Care Facilities; Elders Workers Rights, 10 FQA in Elders Abuse and Neglect; Elders Prisoners' Rights.
- D. Empowering older persons via education, training and accessibility to knowledge. LSE have 1-800 line and receives calls from the elderly their families and professionals and provide them guiding and advices. LSE also gives many lectures to the elderly their families and professionals in community centers and assisted livings. For example, LSE has Holocaust



Survivors' Rights projects that provide lectures and information and help to file relevant forms.

- E. Cooperation with other organizations and bodies active in the field of older persons' rights in Israel and around the world.

A List of Financial Sources and Contributions (2011)

NIF- New Israel Fund - 23,000 \$

Haifa Municipality (local government) - 3,000 \$

Self Incomes (lectures, guidebooks sales, etc)- 7,000\$

Membership fees- 700\$

Contributions- 14,300\$

JDC- Eshel the Association for the Planning and Development of Services for the Aged in Israel- 1,000\$

The Company for Location and Restitution of Assets Holocaust victims- 9,000\$

Eliahu Insurance Company Ltd- 1,800\$

Total: 59,800\$



LSE'S BROCHURE:

Why was the Association established?

The population in Israel is aging as the result of declining birth rates and increasing longevity. The group of the elderly above the age of 75 is now growing at a higher rate than any other age group in Israel, and it is projected that within a few years one of every seven Israelis will be above the age of 65.

Despite the existence of different organizations representing the interests of the older population in Israel, such as the Pensioner's Federation (Histadrut) and various local associations for the elderly, there is no non-governmental nationwide organization whose focus is on promoting the rights and status of older persons in Israel by using legal resources to provide information and advice or to fight legal battles through legislative action and judicial precedents. In order to fill this socio-legal gap in Israel, the Association of Law in the Service of the Elderly was established.

Aims of the Association

- To promote the rights and status of older persons in Israel.
- To educate and disseminate information on the rights of the elderly in Israel.
- To provide advice and legal representation for the elderly in Israel through qualified lawyers.
- To initiate and reform Israeli legislation concerning the rights of older people.
- To establish a computerized database referring to ageing and the law.
- To cooperate with national and international organizations and institutions that have an impact on the rights of older persons in Israel and worldwide.

The Association's activities include, among others, the following areas:

- Preventing maltreatment and victimization of the older population by raising their awareness and providing them with information on their rights.
- Protecting the rights of older persons residing in old aged homes and nursing hospitals through education and legal representation.
- Increasing awareness of the elderly's rights to receive available professional services from doctors, social workers, lawyers, nurses, and therapists.
- Publishing popular information for the older population on their legal rights.
- Establishing an internet site to disseminate information on the law and regulations in Israel pertaining to the older population.
- Providing legal advice for the elderly and their families through the internet.
- Serving petitions to the courts on legal issues and principles referring to the rights of the elderly in Israel.
- Participating in legislative activities in the Knesset on the reform or amendment of Israeli legislation pertaining to the rights of older persons.

The Association of
**Law
in the Service
of the Elderly**



*"Cast me not off in the time of old age;
forsake me not when my strength faileth"*

Psalms 71:9





Annual Report 2011:

Public Advocacy and education:

Lectures and seminars

The association gave 43 lectures and various seminars to elders and their families, professionals and students on topics such as aging legal planning, prevention of elder abuse, guardianship, wills and estates, Ageism, wills and estates. 2,000 elderly caregivers and professionals attended the lectures.

The association also initiated and / or invited to attend lectures at conferences and seminars to local and national conferences.

Publications

In 2011 the association continued to publish, four times a year, the legal newsletter "Aging precedent" - the latest information on case law and legislation in the field of aging at the association homepage.

New series of booklets "Looking ahead: a series of informational brochures and Legal planning" in the series six booklets on the following topics: General Legal Planning, Medical Legal Planning, preventing abuse, neglect and financial exploitation, rights of residents in nursing homes , the rights of older workers, elderly prisoners rights.

In 2011 the organization published periodic facts sheets and position papers to various committees, to the elderly, to professionals, and to members of Knesset (the Israeli Parliament). In addition to all publications in the association's website is updated regularly.

Media

The media covered the association and its activities, including the appearance of chairman and legal adviser on TV, radio and Newspapers, online articles.

The Association regularly updates its activities through Facebook.



Leading Wide impact Legal Cases filed by LSE in 2011

Amicus Brief in Joseph Mutzafi V. Bank Leumi Case- older worker's appeal against a national bank against age discrimination on an agreement stating terms of employment for employees received lesser Work at the bank at age 55 and older. The national Labor court held that the Agreement was illegal. We claimed for the importance of providing adequate relief to employees in claims, to encourage lawsuits and to end age discrimination.

Libby Weinberger v. Bar Ilan University Case –an appeal was held in the National Labor Court against forced retirement. The association claimed that, unlike the choice to retire, forced retirement is a violation of the constitutional right of workers to freedom of occupation and human dignity. The appeal was filed after that the Tel Aviv District Labor Court rejected the claim of the association. Now awaiting appeal of the judgment and if the appeal is rejected the association would consider filing a petition to the High Court of Justice in Israel.

Petition to the High Court of Justice , Dodo Krako v. Ministry of Social Affairs, Ministry of Health and the Foundation for Dependants – the petition filed to prevent a forced removal for Mentally frail nursing home of Dodo Krako. Dodo had a very low income and therefor could not longer pay for home caregiver and therefore welfare authorities wished to remove her to nursing home for the rest of her life against her will. The association represented the interest of the many other which the state is willing to pay for the high cost of nursing home treatment but not to pay a better treatment at home in low cost.

Amicus Brief in Administrative Appeal State of Israel v. nursing homes organizations

The State filed an appeal to the Supreme Court on the holding that the hospitalization rate payed by the treasury minister cannot cover good care to nursing homes residents. The association, as expressing the voice of the elderly in Israel opposes hospitalization rate should determine a reasonable rate and low rate will hart the nursing home residents care.



Projects

Projects continuing from previous years and new projects:

- **Project exercising rights of Holocaust survivors** - the association has received a grant from the Company for Location and Restitution of Holocaust Victims Assets Ltd., the project aims to increase information and assistance for Holocaust survivors in utilizing their rights. Association project, led by Social Worker - Project Coordinator, who has prepared a Unique computerized extraction rights of Holocaust survivors.
- **Yaad Renana project**- thanks to a contribution from Renna Balchar heritage the organization continues to raise awareness of abuse and financial exploitation of elders by lectures, hotline and publications.
- **Elder rights database website project** - updated JDC Eshel website regarding changes in legislation and procedures in elder rights in Israel.
- **Haifa residents project** - The Association designates part of its activities for the residents of Haifa (city in the north of Israel) those include: 13 lectures to residents of Haifa as part of; 500 inquiries from the hotline; association works to advance the rights of the elderly at the local level in cooperation with social services, the Council for Volunteering in Haifa.
- **Workshops on medical and legal planning**- we promote preparation of medical power of attorney for future medical decision making - The Association runs a special workshop for the elderly in the community and institutions. Each workshop consists of three sessions by a gerontology graduate student in gerontology from Haifa University. The Workshops are about legal planning early and use utilities such as case studies and films.
- **Oz project** - a joint project together with the Association of "vehadarta" with the support of Eliahu Insurance Company Ltd, to encourage positive image on aging. In the project we published a report who has studied the elderly as a resource for integration education in Israel.



Cooperation with elder rights organizations and other Organizations

- The Association joined the "**all right**" a nonprofit website – the website is a collaboration of organizations and experts in the field of rights in Israel work together to create a comprehensive encyclopedia, reliable, current and accessible on the Internet of the rights of Israeli residents in all areas of life. The association continues - an organization specializing in the rights of the elderly together with other experts – to write and edit the chapter on the rights associated with aging.
- **Association was appointed to be part of the National Steering Committee on elder drivers** at the National Road Safety Authority - The purpose of the committee is to examine the issues of elderly driving and make recommendations to increase road safety among older drivers. Committee's recommendations will be submitted to the Minister of Transport. The association sees great importance in participating at the committee to advocate for the constitutional rights to freedom of movement and human dignity of elder drivers and to prevent Ageism.
- **Older workers Forum** - The Forum was established to encourage middle-aged and older workers to take apart at the labor market without discrimination.
- Association held a training course for lawyers, the first of its kind in Israel, on elder law by three sessions at the Bar Association, Haifa District. The participants showed great interest in the content and we hope to make additional courses in other districts in Israel.

Letters and Memos on elder rights

- **A letter to the Commission for regulates IVF and fertility under the Ministry of Health** - Expressing the association's position that there should be no age limit on the right to fertility treatment for older women.
- **A letter to the International Agreements Unit, Ministry of Justice** - The Association appealed the Minister of Justice to recommend the signing of Israel to the Hague Convention to protect older people And providing medical care to non-Israeli citizens in Israel and Israeli citizens abroad.



- **A letter to the Commission for Equality for People with Disabilities** - the association filed a memorandum on the attitude Amendment law on legal capacity and guardianship. The Association welcomes the intention to cancel the concept of an incapacitated person but offers a larger reform to minimize guardianships and to create alternatives to guardianships.
- **The Association participated in the second national round table to promote rights of Holocaust survivors in Israel**, founded by Authority for Holocaust survivors. Round Table presented the plan to establish an information center for Holocaust survivors.
- **The association filed its position regarding the role of social worker at guardianship proceedings** the committee established to examine a report for the Ministry of Welfare Guardianship Association position emphasized the importance of keeping the old human rights in guardianship proceeding in court invitation for discussion and examination of other alternatives before a person appointed guardian. The Association emphasized the need for integrating understanding guardianship is severely damaged a person's autonomy and legal tools should be used only after all other options have been exhausted and as a last resort. The association recommended that more time has come for comprehensive reform law legal capacity and guardianship,

1-800 Hotline

Also in 2011 was an increase in the association made direct references, and the amount of referrals came to **1000 inquiries** a year via toll-free telephone line 1-800, letters and inquiries through the website.

Referrals were central issues in old age: The older Israeli Act, benefits discounts for senior citizens, Holocaust Survivors benefits, nursing care and other rights, protection from abuse, Legal Planning - wills and estates, power of attorney, medical and Dying Patient Act, workers' rights, age discrimination.

Referrals made by the elderly, elderly family caregivers, professionals (doctors, nurses, social workers and institutions) and students.



all references calcified in a system according to characteristics of the applicant, Subject and response given.

The Constitution of the Organization

The constitution of the organization is the by-laws suggested by the **Associations Act ,1980**
Here its translation to English:

Laws of association

Article: Companies

Members

A. (A) its founders are members of it from the Oversight Committee in the Register of Associations.

(B) A person who wishes to become a member of the association shall submit to the board a request as follows: "I (name, address and ID number) wants to be a member of the organization (organization name). Goals and regulations are known to me. If admitted as a member, I pledge to comply with the provisions of the bylaws and resolutions of the general meeting of the association."

(C) The decision to accept the applicant as a member of the association or lack of acceptance rests with the committee; committee refuses to accept the applicant, he may appeal the decision before the next general meeting.

Rights and obligations of Member

2. (A) A member association is entitled to attend and vote at any General Meeting and will have one vote in any voting; is entitled to vote and be elected to the board or audit committee.

(B) A member association is entitled to participate in its activities and benefit from its services.

(C) The board, with the approval of the General Assembly, may establish dues payment of which will be obligatory for all members.

(D) Termination of membership in the association does not exempt organization removal of the



payments came from the member immediately before termination of membership for the period until termination of membership.

Termination of membership

3. (A) Membership in the association expires –

- (1) death of an author, a member that is a corporation - the final dissolution;
- (2) retirement from the Association; written notice of withdrawal shall be given to the board thirty days in advance;
- (3) excluding it from the association.

(B) The general assembly may, the committee's proposal, decide to expel a member from the association of one of the following grounds:

- (1) The member organization has not paid the due from him;
- (2) The member did not follow the rules or decision of the Assembly;
- (3) the member acts against the aims of the association;
- (4) The member was convicted for an offense involving moral turpitude.

(C) The board will not propose a general meeting remove a member from the association only after giving him a proper opportunity to be heard before him, and offer reasons stated in subsection (b) (1), (2) or (3) but has warned the member and gave him a reasonable time repair the damage.

Notification to a friend

4. Order, requirement, notice or other notice of the association a member shall be in writing and given to him personally or sent by regular mail to the address recorded in the register of members; written request of member association will change the address recorded in the Register of members.

Article Two:

The General Assembly Time and place

5. The day, hour and place of general meeting shall be determined by the board. Order 6. General meeting shall be convened by notice to every member at least ten days in advance, stating the



day, hour, place and agenda of the meeting

Positions of the ordinary general meeting

7. Ordinary general meeting shall hear reports on the activities of the committee and the activities of the audit committee, shall consider them and the financial report filed by a committee, shall decide on their approval, and shall elect a committee and an audit committee.

8. (A) A general meeting not open unless at least one quarter of our members; this quorum was present at the opening meeting, may continue its deliberations and decisions, even if the number of attendees.

(B) The aforesaid quorum is not convened within one hour after the time specified in the invitation, the meeting shall be rejected without further invitation, a week later at the same time and place, and this adjourned meeting may be present to discuss and decide, whatever their number.

Chairman and secretary

9. General meeting shall elect members of the association, the chairman and secretary of the meeting. Decisions 10th. General Assembly resolutions are accepted by a majority of voters, unless the law or regulations require a different majority; where the votes are evenly divided, the chairman of the Assembly to decide. Secretary general meeting shall keep minutes of the meeting.

Article Three:

Committee Number of members

10. Number of committee members shall be the decision of the General Assembly and shall not be less than two.

(A) The board shall hold the election at a general meeting to another general meeting to choose new; member of the outgoing committee may be elected the new committee.

(B) A committee member may resign at any time by written notice to the board; a committee member shall cease to hold office if he was declared legally incompetent or bankrupt.

Completion of the Board



(A) has fallen vacant place of a committee member, the remaining may appoint another member of the Association to serve as committee member until the next general meeting and until such an appointment, the remaining work to continue.

(B) A committee member is unable to perform his duties, the remaining may appoint a member of the Association to fill his place until he returns to fulfill his functions.

Board meetings

The board may itself arrange the date of its meetings, the invitation to them, required quorum and through its management.

Decisions

Committee decisions will be a majority of voters;

Where the votes are evenly divided, the proposal was not accepted;

All members of the Board's decision unanimously that may be adopted at a meeting of the Board.

Protocol

The committee shall keep minutes of its meetings and decisions.

Right of representation

The committee may authorize two or more of its members to sign documents on behalf of the Association may require, and to perform behalf acts which are within its jurisdiction.

Article Four: Audit Committee

Application of provisions

Provisions of regulations 12 to 17 shall apply, mutatis mutandis, to the audit committee.

Article Five: Branches Establishment and organization of branches

The association may, by decision of the general meeting, to establish branches and to determine the organization and the procedure for managing their affairs.

Article Six:

Assets after dissolution Transfer of surplus assets (Amendment 12)



جمعية القانون في خدمة الشيخوخة

Law in the Service of the Elderly

The association was dissolved and remained fully disordered debt assets, these assets will be transferred to another organization or another public benefit company registered with the Registrar of Companies as defined in the dedications, 1999 with similar goals.

Serial No2099

מס' סידורי 2099

CERTIFICATION OF TRANSLATION

אישור תרגום

I the undersigned RON BERANT

אני הח"מ רון ברנט, עו"ד

Notary, of 26 Hameginim st. Haifa, Israel, confirm hereby that I am well acquainted with the Hebrew and English languages and that the documents attached to this certification marked "A" are a correct translation into English of the ORIGINAL DOCUMENTS drawn up in the Hebrew language, which have been produced to me, and are also attached herewith and marked "B"

נוטריון משד' המגינים 26 חיפה מזהיר בזה, כי אני שולט היטב בשפות העברית והאנגלית וכי המסמכים המצורפים לאישור זה והמסומנים "א" הם תרגום מדויק לאנגלית של המסמך המקורי הערוך בשפה העברית שהוצג לפני ואשר העתק מצורף שלו מצורף גם לאישורי זה ומסומנים באות "ב" ולראיה אני מאשר את דיוק התרגום האמור בחתימת ידי ובחותמי.

היום 26.6.2012

In witness whereof I certify the correctness of the said translation by my signature and seal.

שכרי בסך 233 ש"ח כולל מע"מ שולם.

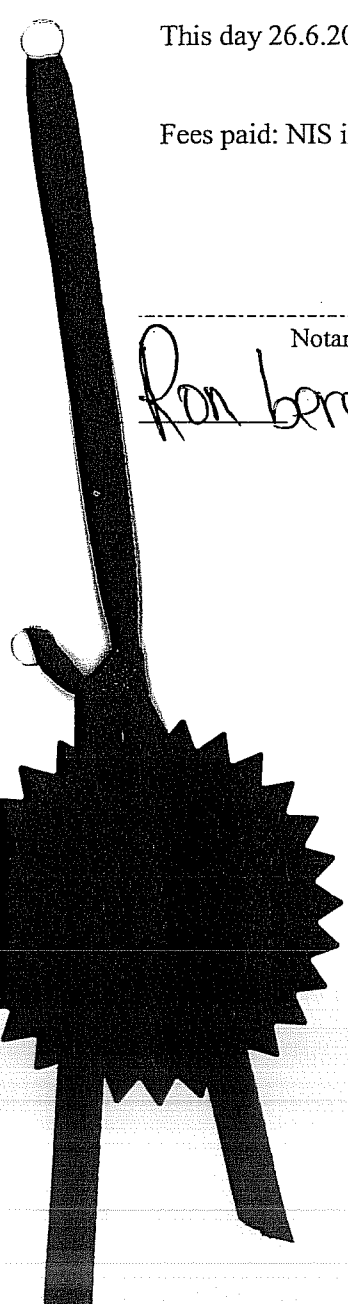
This day 26.6.2012

Fees paid: NIS including VAT 233

Notary's Seal and Signature

Ron berant

חותם הנוטריון וחתימתו



State of Israel Emblem

"X" - "A"
"P"

Ministry of the Interior
Registrar of Associations

**A Certificate for Registration of Association
By the Association Act, 1980**

This is to certify that the association:

Law in the Service of the Elderly [Registered Association]

Whose address:

At DR. Israel Doron, Gilon, Misgav zip code 20103, Israel

The main Purposes are:

- Promote the rights and status of the elderly in Israel
- Provide education and information about elderly rights
- Provide Legal advice and representation to the elderly in Israel by attorneys only, and on representation cases a legal representation by specific power of attorney from the client to the attorney

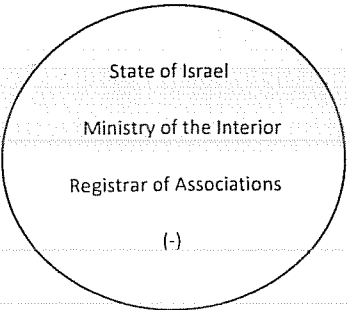
Registered as association number:

58-038-299-2

On:

Day: 14
Month: Shvat -January
Year: 5762-2002

[Round Emblem]





משרד הפנים
רשם העמותות

I-B

תעודת כרישומה של עמותה

(לפי חוק העמותות התש"ם - 1980)

זאת לתעודה כי

העמותה

המשפט בשורה התחתונה (ע"ר)

שומעיה

אצל ד"ר ישראל דורון
בילון

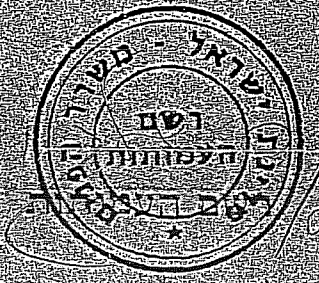
20103

ד.נ. משגב

המטרות העיקריות הן

קידום זכויות ומעמד הזקנים בישראל. חינוך
והקניית מידע אודות זכויות הזקנים בישראל. הענקת
ייעוץ וייצוג משפטי לזקנים בישראל: ייעוץ
משפטי ליתקן על ידי עו"ד בלבד, והצדקה להם
לייצוג משפטי ע"י ייצוג פה ספציפי מהלקוח לעו"ד

58 - 038 - 299 - 2



התשס"ב
2002

שבת
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