

Maine Elder Law Basics

Guardian and Conservatorship

You are entitled to be represented by a lawyer in guardianship (care of your person) or conservatorship (care of your financial matters) cases. If you cannot afford one, Maine should provide one for you.

You have a right to notice of any guardianship or conservatorship proceedings involving yourself. Even if you are under guardianship, you still have freedom of religion and the right to maintain your religious practice.

Domestic Partnership

Unmarried same-sex and different-sex couples may join in a registered domestic partnership by completing form VS-70, “Declaration of Domestic Partnership” and paying the \$50 fee (*see reverse for link to more information*). That law provides inheritance, funeral, guardianship/conservatorship and property protections under State law, and access to certain spousal Social Security benefits under federal law.

Domestic partners will have all of the rights of spouses under the State Probate Code as of January 1, 2019, making it easier to care for each other at difficult times.

Social Security Benefits

The Social Security Administration (SSA) now recognizes marriages of same-sex couples for Social Security benefits, Medicare entitlement, and eligibility and payment amounts for Supplemental Security Income (SSI) payments. In Maine, registered domestic partners are entitled to the same benefits as spouses (*see reverse for link to more information*).

Health Care Proxy

You can designate who you want to make your financial decisions in case you are unable to make them. This is called a healthcare proxy.

Power of Attorney

You can designate who you want to make your financial decisions in case you are unable to make them. This is called a power of attorney.

Safety & Respect

You have the right to be protected from discrimination on the basis of LGBTQ status in your housing and in public accommodations such as medical offices. You have the right to use restrooms and other gender-differentiated facilities consistent with your gender identity.

Self-Identification

You have the right to have your identity—including your LGBTQ identity—respected.

Resources

Legal Services for the Elderly

www.mainelse.org
Help line: 1-800-750-5353

Spectrum Generations

www.spectrumgenerations.org

Elder Abuse Institute of Maine

www.eaime.org

Maine Aging and Disability Resource Centers

www.bit.ly/2JPiUpb

SAGE (Services & Advocacy for GLBT Elders)

www.sagemaine.org
National hotline: 1-888-234-SAGE (7243)

Maine Domestic Partnership Registration Instructions

www.bit.ly/2yht1Se

Social Security Guide for Same Sex Couples

www.ssa.gov/people/same-sexcouple

Medicare Registration (Sign up before age 65 to avoid a penalty premium)

www.bit.ly/2gcfUIs

GLAD Resources

Know Your Rights—Maine

www.glad.org/locations/maine

Social Security Benefits After DOMA

www.bit.ly/2Hlx2Tm

Legal Planning for Same Sex Couples

www.glad.org/wp-content/uploads/2017/01/legal-planning-couples.pdf

GLAD Answers

www.GLADAnswers.org

