

IDENTIFYING CONNECTIONS BETWEEN ELDER LAW AND GERONTOLOGY: IMPLICATIONS FOR TEACHING, RESEARCH, AND PRACTICE

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Scholars have long called for elder law to become part of the larger study of gerontology. The authors conducted a qualitative, empirical study to determine the extent of connections between the fields of gerontology and elder law and to identify strategies for bridging gaps between the fields. As reported in this Article, we found that although both elder law academics and gerontologists indicate that both fields would benefit from research collaboration and cross-disciplinary teaching, the fields

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remain distinct with limited interaction. Based on these findings, we identify five key strategies for fostering meaningful connections between the fields. Finally, drawing on the expertise of the elder law academics and leading gerontologists interviewed as part of this study, we discuss how fostering such connections could work to the mutual benefit of the two fields and, potentially, improved policy-making in the area of aging.

I. Introduction

Nearly forty years ago, Elias S. Cohen, the then Editor-in-Chief of *The Gerontologist*, published an editorial urging greater connections between gerontologists and lawyers.¹ Cohen bluntly explained that “law and aging is too important to leave to the lawyers” and “the research, language and analysis of lawyers are too important to be ignored by gerontologists.”² In the 1980s, Martin Levine built on Cohen’s call for integration by developing a research agenda in the field of law and aging.³

Since that time, the field of elder law⁴ has blossomed. It has emerged as an important legal specialty in the United States,⁵ as well

1. Elias S. Cohen, *Editorial: Law and Aging, Lawyers and Gerontologists*, 18 GERONTOLOGIST 229, 229 (1978).

2. *Id.*

3. See generally Martin Levine, *Research in Law and Aging*, 20 GERONTOLOGIST 163 (1980).

4. For purposes of this study, we adopted the definition of Elder Law developed by an expert working group as part of an earlier study published by Kohn and Spurgeon. See Nina A. Kohn & Edward D. Spurgeon, *Elder Law Teaching & Scholarship: An Empirical Evaluation of an Evolving Field*, 59 J. OF LEGAL EDUC. 414, 429 (2010). Specifically, we considered “elder law” to be a “specialized area of law focused on counseling and representing older persons or their representatives on later-in-life planning and other legal issues of particular importance to older adults. Unlike many other areas of the law, Elder Law is defined primarily by the client population to be served, not by a distinct set of legal doctrines.” *Id.*

5. See Lawrence A. Frolik, *The Developing Field of Elder Law Redux: Ten Years After*, 10 ELDER L. J. 1, 2 (2002) (describing the development and growth of the field); Marshall B. Kapp, *Professional Development in Law, Health Care, and Aging: A Model Fellowship Program*, 40 GERONTOLOGIST 364, 364 (2000) (describing the field of Elder Law as having “burgeoned over the past two decades”); see generally Nina A. Kohn & Edward D. Spurgeon, *A Call to Action on Elder Law Education: An Assessment & Recommendations Based on National Survey*, 21 ELDER L. J. 345 (2014) (providing an empirical account of the field of Elder Law); Rebecca C. Morgan, *Elder Law in the United States: The Intersection of Practice and Demographics*, 2 J. INT’L AGING, L. & POL’Y 103, 105-07 (2007) (describing the field’s transition from a niche to a common area of practice and stating that “[e]lder law has now been a recognized practice area for almost thirty-five years, although for private practitioners more of the growth has occurred in the past twenty years”).

as in other countries including Canada,⁶ Australia,⁷ and Israel.⁸ It has also become a frequent component of law schools' curricula,⁹ and a number of elder-law specific journals have been developed.¹⁰ In addition, scholars continue to echo Cohen and Levine's calls for the need to connect elder law and gerontology.¹¹

Have these continued calls and the growth in the field of elder law led to increased collaboration between law and gerontology as Cohen urged? To be sure, there are certainly many examples of elder law specialists and gerontologists working together and learning from one another. For example, there have been significant efforts to create multidisciplinary teams and interventions around the issue of elder abuse.¹² Law school clinics have also been a site of cooperation between elder law specialists and other professionals who provide services to older adults.¹³ And over the years, there have been a number

6. See Charmaine Spencer & Ann Soden, *A Softly Greying Nation: Law, Ageing, and Policy in Canada*, 2 J. INT'L AGING, L. & POL'Y 1, 7-9 (2007) (describing the development of the field of Elder Law in Canada).

7. See generally RODNEY LEWIS, *ELDER LAW IN AUSTRALIA* (2nd ed. 2011); Sue Field, *The Concept of Elder Law*, 81 AUSTRALIAN L. REFORM COMM'N REFORM J. 20 (2002) (describing Elder Law as an emerging field in Australia).

8. See Israel Doron, *Law and Aging in Israel: The Development of a New Field of Law*, 2 J. INT'L AGING, L. & POL'Y, 33, 35-36 (2007) (describing the emergence of Elder Law in Israel).

9. See Kohn & Spurgeon, *supra* note 4 (discussing and demonstrating the growth of Elder Law in law schools in the U.S.).

10. In addition to this Journal, other specialized Elder Law journals include NAELA Journal (a publication of the National Association of Elder Law Attorneys), Marquette's Elder's Advisor (a student-edited journal out of the Marquette University Law School), and the Elder Law Review (an e-journal published by Western Sydney University).

11. For example, Doron, has urged the transformation "from elder law to jurisprudential gerontology" such that Elder Law is integrated into gerontology and is no longer simply a specialized field of practice. Israel Doron, *Elder Law: Current issues and future frontiers*, 3 EUROPEAN J. AGING 60 (2006). Similarly, Doron and Meenan have argued for expanding Elder Law into "geriatric jurisprudence" that will "break down the disciplinary borders" in order to integrate "knowledge based in geriatrics, gerontology and law." Israel Doron and Helen Meenan, *Time for Geriatric Jurisprudence*, 58 GERONTOLOGY 193, 194 (2012) [hereinafter Doron & Meenan]. They explained that, "The different scientific approaches enrich each other, and enable one to better conceptualize and theorize complex socio-medical realities concerning older people." See also Israel Doron & Asaf Hoffman, *Time for Law: Legal literacy and Gerontological Education*, 31 J. GERONTOLOGICAL ED. 627 (2005) (arguing in favor of incorporating legal instruction into gerontological education).

12. See, e.g., Laura Mosqueda et al, *Advancing the Field of Elder Mistreatment: A New Model for Integration of Social and Medical Services*, 44 GERONTOLOGIST 703, 703-708 [hereinafter Mosqueda] (reporting on a multi-disciplinary approach to addressing elder mistreatment in California).

13. See, e.g., Kate Mewhinney, *The Human Touch: Clinical Teaching of Elder Law*, 40 STETSON L. REV. 151, 163-170 (2010) (describing how the Elder Law Clinic at Wake Forest University School of Law partners with the University's medical cen-

of single-site projects (situated at universities) that have sought to provide a more holistic, gerontological education to elder law attorneys.¹⁴

However, the existing literature suggests that—despite some advances—legal concerns remain at the periphery of the study of aging and have yet to be meaningfully integrated into the larger field of gerontology. For example, Doron and Meenan found that legal analysis is largely absent from leading gerontology texts and journals.¹⁵ A study of scholarship by elder law professors in the United States likewise found that such professors disfavor publication in interdisciplinary journals.¹⁶

In order to better understand the nature and extent of connections between the fields of gerontology and elder law, and to identify strategies to bridge gaps between the two fields, the authors designed a systematic empirical study. This article describes that study, its findings, and the implications of those findings. In doing so, it reveals that although both elder law academics and gerontologists see value in bringing the fields together, the fields remain distinct with limited interaction. It then identifies five key strategies for fostering meaningful connections between the fields.

ter to allow for law students to train in a cross-disciplinary manner); Kimberly E. O'Leary, *Clinical Law Offices and Local Social Justice Strategies: Case Selection and Quality Assessment as an Integral Part of the Social Justice Agenda Clinics*, 11 *CLINICAL L. REV.* 335, 357 (2004) (discussing how students in a law clinic can work with community service providers to meet the needs of older clients).

14. For example, a pilot project at Wright State University in the 1990s allowed early career attorneys to spend a month in residence at the University's medical school to learn about health care and ethical issues related to aging. See Kapp, *supra* note 5.

15. See Doron & Meenan, *supra* note 11 (based on an empirical analysis, reporting a dearth of legally-oriented materials in a leading gerontology journal, and concluding that "legal philosophy, theory and knowledge, or empirical legal studies in the field of aging or geriatric medicine, are not viewed as significant to geriatricians or gerontologists.").

16. See Kohn & Spurgeon, *supra* note 4, at 424.

II. Method

A. General Design

In-depth interviews of leading gerontologists and elder law academics were conducted with two primary aims. First, interviews were designed to identify existing experiences and attitudes toward elder law among those working in the field of gerontology, and existing experiences and attitudes toward gerontology among those working in the field of elder law. Second, the interviews were designed to identify opportunities to connect teaching and scholarship in the two fields, as well as barriers to such connections. In this way, we sought to capture the subjective experience, attitudes, and insights of leading thinkers in each discipline. Consistent with the phenomenological methodological approach,¹⁷ we focused on carefully listening to and studying the subjective, lived experiences of leaders in the fields in order to objectively identify the nature and extent to which the fields were connected.

B. Participants

Using a criterion sampling approach, participants were selected based on their status as an active teacher and scholar, either in the field of elder law or gerontology, and employed by an academic institution in an English-speaking country. As the number of gerontologists meeting these criteria was substantially larger than the number of elder law academics meeting them, additional considerations for selecting gerontologists were (1) leadership positions in key gerontology organizations, including participation in the Gerontological Society of America's Gerontology Program Leaders Network and editorial leadership with leading aging-focused journals, and (2) leadership roles in prominent gerontology programs (e.g., chair of a gerontology department).

Using this process, the team identified and invited forty-one gerontology and elder law scholars to participate in the study. Potential participants were invited by email, with up to four invitation emails sent to each potential participant. Of the forty-one scholars invited, three declined to be interviewed, seven did not reply to emails,

17. See MICHAEL QUINN PATTON, *QUALITATIVE RESEARCH AND EVALUATION METHODS* 570-82 (4th ed. 2015).

and four initially agreed to be interviewed but did not respond to follow-up emails. Once a participant agreed to take part in the study, the participant was sent an email to schedule an interview for a time convenient to the participant.

The final sample included twenty-seven participants: twelve elder law academics and fifteen gerontologists. The majority (twenty) were based in the United States, three were based in the UK, two in Ireland, one in Australia, and one in Canada. Participants were almost equally divided by gender, with fourteen women and thirteen men. Of the gerontologists, six reported that they were currently teaching gerontology. Of the elder law academics, four reported that they were currently teaching elder law-specific courses and another four reported teaching other law courses that included aging-related content.

C. Interview Tool and Process

The main instrument employed by this study was an in-depth, semi-structured, personal interview. Interviews were guided by a structured interview guide prepared by the authors in advance of the phone interview (see Appendix). The prepared guide had two versions: one for elder law academics, the other for gerontologists. Other than being adapted for the interviewee's field, the guides were identical. Each guide focused on four key areas of inquiry: (1) interviewees' attitudes about elder law and gerontology in general, including their attitudes about the fields' relationship to one another; (2) connections and disconnects between the fields evidenced by interviewees' own current teaching and scholarship; (3) interviewees' awareness of the teaching and scholarship in the other discipline; and (4) interviewees' experiences and attitudes towards, and suggestions for, fostering connections between the two disciplines.¹⁸

Each interview began with a full description of the study. Participants were asked to provide oral consent to participation and to having the interview recorded. All participants provided such consent. Twenty-four interviews were conducted by phone; three were conducted in person. All interviews were conducted by the same interviewer. Interviews ranged in length between six and thirty-eight

18. This interview protocol did not include any objectively sensitive issues, special risk, or potential harm to participants. All participants were adults who gave informed consent to participation. Accordingly, the study was granted exempt status by the Syracuse University Institutional Review Board (IRB).

minutes, with a mean length of twenty-two minutes. Throughout each interview, neutral probes were used to further explore participant responses. Most participants were very engaged and expressed interest in the focus of the study.

All interviews were digitally recorded and transcribed in full. The content of the interviews was then closely read, coded, and grouped into meaningful units related to the study's underlying questions in order to identify themes in the interviewees' responses. A "thick description" approach is used to report findings, with the aim of reflecting the authentic voices of the participants and allowing readers to examine the researchers' interpretive process.¹⁹ To protect the privacy of interview subjects, interviewees were given numerical pseudonyms.

III. Findings

Based on the interviewee's responses, we are able to describe the nature and extent of connections between the fields of elder law and gerontology as identified by or revealed by the interviews, interviewees' attitudes about the utility of such connections, and factors that appear to be associated with the realization of cross-disciplinary connections. We are also able to report on interviewees' recommendations for encouraging and growing connections between elder law and gerontology.

A. A Descriptive Account of Connections Between Elder Law and Gerontology

To understand current connections between elder law and gerontology, we asked interviewees to describe their own field and to identify whether their field involves the other field. We also explicitly asked about whether and how they integrated the other field into their teaching and scholarship.

1. RESPONDENTS' UNDERSTANDING OF THEIR FIELD AND ITS RELATION TO THE OTHER

Interviewees were asked to identify the core components of their field of study. Gerontologists typically described their field as multidisciplinary in nature, and as encompassing both the study of

19. Verbal tics (e.g., "um" and "ah") were eliminated for readability.

older persons and the study of systems and policies relevant to older persons. Consistent with this multidisciplinary approach, one interviewee described the field as a lens through which other disciplines can understand aging:

I see gerontology as a lens for most other disciplines. And I believe it's probably endless, the range of disciplines that can be helped by having a lens through gerontology. A greater awareness and a greater understanding of normal aging and the issues brought about by the changes that occur in normal aging can inform all sorts of decisions from practitioners in law and health and other disciplines but also in management and policy and even retail. I think these people can all benefit from a greater understanding of the changes that people are working with that are normal as part of being older. So . . . I think gerontology comes together quite well as a concept but I think if you think of it as a way of taking another look at what you think you already know through the eyes of somebody who is dealing with changes related to age, then it makes more sense.²⁰

Elder law academics, by contrast, took more divergent approaches to describing their field. Some defined it based on core legal issues, including income security, legal capacity, guardianship, end-of-life issues, elder abuse and financial exploitation, age discrimination, autonomy, and the rights of older adults.²¹ One grouped these issues as revolving around three key questions:

What will the person live on? Mainly financial resources, social security, pensions, personal investments. Number two, where will the person live? Their residence, someone else's residence, institutional arrangements, nursing homes. And third, how will the person pay for healthcare? Medicare, Medicaid, long-term care insurance, that sort of thing.²²

Several elder law academics, however, described the field's core component as how the law works for older people, rather than

20. Nina A. Kohn, Maria Brown, and Israel Doron, Interview Transcript of Gerontology Professors, Response 13 (unpublished interviews on file with author) [hereinafter Gerontology Professor Interview].

21. The breadth of topics reflected a common description of elder law as being defined by client needs. As one elder law academic explained, elder law is "an area of law that really runs horizontally in that . . . a client can have lots of different legal problems. Whereas if you're practicing criminal law, your clients have all been accused of a crime. Whereas with elder law there may be a contracts issue, a property issue, so I take a very broad view of the components or the essentials of elder law. And it to me runs the gamut to healthcare to housing to autonomy to income security. . . ." Nina A. Kohn, Maria Brown, and Israel Doron, Interview Transcript of Law Professors, Response 10 (unpublished interviews on file with author) [hereinafter Law Professor Interview].

22. *Id.* at Response 9.

describing it in terms of particular legal issues. For example, one explained:

[F]rom my perspective it's very much about the rights of older people. What I don't want to do is to kind of compartmentalize older people. Certainly there are some laws that do apply more specifically to older people but my basic starting point would be to enable older people to enjoy the same rights and recognition under the law as anybody else.²³

Notably, elder law academics' descriptions of the field of elder law varied by country. Whereas United States-based interviewees described the field of elder law in different ways, they consistently treated elder law as its own field.²⁴ By contrast, elder law academics in the U.K. did not necessarily see elder law as having yet evolved into its own distinct field. For example, one U.K. interviewee pushed back when asked to identify the core components of elder law as follows:

That's a difficult question to start with really because I don't think that elder law is really an established field or discipline in the U.K., and so it tends to pick up as a pocket within other areas. So, for example, some people who are teaching family law would address some issues specifically relating to older people. It would arise in areas of capacity, mental health, and adult social care, [inaudible] perhaps, property law, that's another area. But many universities in the U.K. don't have specific courses on elder law, but that's something I hope will change.²⁵

Participants from both disciplines were explicitly asked whether their field involved the study of the other. Most gerontologists reported that the study of gerontology involves the study of legal issues. Some described law as globally relevant. For example, one gerontologist explained that law is "part of the context":

[T]here's the individual, there's the environment and community around that, and there's a much larger society social structure

23. *Id.* at Response 3.

24. While they saw coherence in how the field was taught. One elder law academic in the United States speculated that: "no two elder law courses are even close to alike. And while you could say the same thing about tax, no two tax courses are exactly alike, the degree of concordance is probably about 90% while in elder law, I'd suspect it's not more than 30-40%. I've heard of a guy who teaches what he calls elder law, it's almost entirely discrimination in employment on the basis of age. Okay, that's one way of doing it. I don't cover that subject at all because we teach employment discrimination, not in age context but in gender and race and the difference in proof is, there's some, but it's not huge. Other people will do lots of stuff with elder abuse. Particularly if they come from a criminal background or kind of a prosecutorial kind of thing. I spend 35-40 minutes in the whole semester and my student evals basically say that's about 30 minutes longer than it ought to be." *Id.* at Response 9.

25. *Id.* at Response 12.

meaning the legal and regulatory elements that are in that person's environment, life, culture. So yes, legal²⁶, law, everything having to do with legal and regulations matter.

However, most gerontologists responded to the inquiry by identifying particular legal issues they saw as relevant to gerontology. As a group, gerontologists identified a broad range of legal issues as already part of gerontology. These ranged from issues of legal capacity and decision-making (including guardianship and the use of advance directives), to rights of older adults and to elder abuse. Likewise, as a group, gerontologists also identified a variety of legal issues as being central to understanding aging, including policies regarding income security, housing, and health care; end-of-life planning and care; legal decision-making and capacity (including guardianship and the use of advance directives); age-related changes in rights and responsibilities; elder abuse; age discrimination; and grandparents' rights. Some went so far as to describe the overlap between the fields as obvious. One participant stated that "almost any topical area in the field, sooner or later could have some sort of elder law connection,"²⁷ while others identified specific areas of overlap. For example, one opined that certain topics within the field of gerontology (e.g., ageism, abuse, and other "policy" issues) have a natural connection to the field of elder law.²⁸

Although gerontologists were collectively able to identify a large number of legal issues involved in gerontology, many individual gerontologists only identified a few legal issues as being involved in gerontology. Among these respondents, elder abuse was one of the most commonly identified issues. Thus, although a broad range of legal topics were identified as involved in gerontology, the individual responses of gerontologists suggest that many saw legal issues as only minimally involved in the broader field of gerontology. Moreover, gerontologists' responses as to legal topics involved in gerontology suggest that the extent to which a particular gerontologist sees connections between the two fields varies based on whether the gerontologist has a personal relationship with an elder law attorney or elder law academic.²⁹ Because of the small number of elder law academics

26. Gerontology Professor Interview, *supra* note 20, at Response 15.

27. *Id.* at Response 4.

28. *Id.* at Response 5.

29. Indeed, this may explain the emergence of elder abuse as a commonly cited point of overlap. There have been significant efforts made to create multidisciplinary interventions around the topic of elder abuse and significant private and

participating in venues attracting gerontologists, those who do participate may have significant impact. For example, one gerontologist explained that one of the elder law academics interviewed in this study “had a tremendous effect” on his work by orienting him to elder law and “really expanding my horizons.”³⁰

Elder law academics were somewhat less likely to indicate that the field of elder law involves the study of gerontology. However, elder law academics frequently reported that law students studying elder law need to understand aging processes, especially physical aspects of aging.³¹

2. CONNECTIONS IN RESPONDENTS’ OWN TEACHING

Both groups were asked about whether they incorporate the other discipline into their teaching. As a general matter, most gerontologists reported integrating at least some legal issues into their teaching. Specific legal issues that gerontologists reported incorporating into their teaching included Social Security; public health insurance (e.g., the U.S.-based Medicare and Medicaid programs); decision-making capacity and surrogate decision-making (including powers of attorney, guardianship, and family involvement in decision-making); elder abuse; torts; rights and responsibilities; and end of life planning.

Although they reported integrating legal issues, gerontologists did not uniformly describe those issues as “legal” in nature (e.g., they used the term “policy” in lieu of “law” or “legal”). One gerontologist respondent was forthright about his own confusion between the terms, explaining:

It’s hard to say whether you call “policy” legal. I mean, I’m doing a paper right now . . . on long-term care policy. So, is that a legal concern? I am not sure that it fits within the legal camp. It’s³² more of the policy camp, so I don’t know whether those intersect.

Likewise, elder law academics typically reported integrating non-legal aspects of gerontology into their teaching. Such integration appears especially frequent in the context of teaching students about the physical consequences of aging and health care concerns. Several

public resources devoted to the support of such work. *See, e.g.,* Mosqueda, *supra* note 12 (describing one grant-funded interdisciplinary intervention around elder abuse).

30. Gerontology Professor Interview, *supra* note 20, at Response 3.

31. For example, one elder law professor explained “they [law students] need to know the difference between normal aging and issues like chronic illnesses, like dementia and such.” Law Professor Interview, *supra* note 21, at Response 4.

32. Gerontology Professor Interview, *supra* note 20, at Response 9.

elder law respondents indicated that such information is critical in part because it is relevant to the issue of legal capacity,³³ to combatting ageist stereotypes, and to identifying community services available to assist older adults. For example, one elder law academic explained:

I think that [one thing] students need to know about aging is that as people age, they really become more heterogeneous, not homogeneous. And that the stereotypes that we've assigned to aging . . . for practical reasons so we can get funding for programs and reduce administrative costs by generalizing, but to realize that people . . . age very differently and even within a person their body systems could be aging at very different rates.³⁴

Another explained that law students need to know about the ways that aging is not homogeneous so that they treat aging clients as individuals.³⁵ Yet another urged that law students need to know about the "commonalities of aging. We all age differently but I think they need to understand that there are certain laws that are aged based . . . and they also need to understand that certain conditions of aging will affect their client's legal matters and even drive them to seek the assistance of an elder law attorney."³⁶

In addition, many respondents in both groups indicated that they saw value in expanding the extent to which they integrated the other field into their teaching. Both groups included a number of respondents who identified additional cross-disciplinary issues they would like to cover. For example, several gerontology professors indicated interest in expanding coverage of legal issues related to long-term care and decision-making capacity, and several elder law professors identified issues around healthcare and community services.³⁷

When asked why they did not include more content from the other field in their teaching, about one-fourth of the participants re-

33. For example, one elder law academic commented that: "if you've got a better understanding of issues that can affect individual's capacity as they age then I think that can help people to understand the significance and the factors that need to be taken into account in a legal assessment." Law Professor Interview, *supra* note 21, at Response 12.

34. This view reached across geographies. While the preceding quote was from a U.S.-based academic, an elder law academic based in the UK provided a parallel response, explaining that "the primary thing" that students of elder law need to know about aging "is the diversity of the community of older people. So, aging just interacts with the identities that people already have and it might change, or impact some of the existing identities." *Id.* at Response 8.

35. *Id.* at Response 7.

36. *Id.* at Response 10.

37. See e.g., *id.* at Response 6 ("They need to know some of the medical conditions related to incapacity and mental impairment in particular. They need to know about a range of issues related to dying.").

sponded that there was not enough time to cover all of the content from the other field that they would like to cover. Several participants from each field stated that they lacked the expertise, or lacked access to experts, to cover issues from outside of their own academic field. A few simply saw doing so as outside the scope of their relevant courses and indicated that they were not interested in doing so. For example, one elder law professor responded: "What would encourage me [to expand gerontological concerns to existing elder law courses]? I'd doubt anything. I'm not inclined . . . I am very adamant; this is a law course not a gerontological course. They're different disciplines."³⁸

Several gerontologists, also, suggested that a lack of appropriate texts—or, at least—their lack of awareness of appropriate texts was a barrier.

3. CONNECTIONS IN RESPONDENTS' OWN SCHOLARSHIP

The majority of study participants reported actively conducting and publishing research in their field, whether in journals, textbooks, case studies, or blogs. Participants reported engaging in research and publishing on a broad range of topics. There was substantial overlap in the topics covered in the research of gerontologists and elder law academics. Members of both groups reported, for example, engaging in research on Social Security, guardianship, and age discrimination.

Likewise, a substantial portion of members of both groups recognized some overlap between their research and research in the other field. Gerontologists typically reported that their scholarship touches on legal issues. However, many of the topics that gerontologists reported publishing on that would likely be seen by elder law academics as "legal issues" were not identified by gerontologists as such. For example, one gerontologist reported that his research included work on elder abuse, access to attorneys and advocacy, and access to Social Security, but only identified the first of these as a "legal issue."

Elder law academics also typically reported that their research touches on gerontology, and reported using research from a variety of social science fields to inform their work. However, as was the case with gerontologists, many of the topics that elder law academics reported publishing on that would likely be seen by gerontologists as "gerontology" were not identified by elder law academics as such. For

38. *Id.* at Response 4.

example, elder law academics reported working on a variety of social policy issues—such as elder abuse policy and LGBT aging—that gerontologists might view as “gerontology” issues.

Moreover, while interviewees from both fields were typically able to point to some overlap between their research and the other field, there was a disinclination toward cross-disciplinary research—at least under the current circumstances. Moreover, while participants were generally positively inclined toward learning from the other field, some saw no need to explicitly address the other field in their research. For example, one gerontologist explained: “[D]o some of those topics [I research] have legal issues involved in them? Well, of course they do, but I don’t really study that. I don’t study the legal issues, but there are legal issues surrounding everything, right?”³⁹

4. RESPONDENTS’ VIEWS OF THE DESIRABILITY OF CONNECTIONS BETWEEN THE FIELDS

Gerontologists were almost unanimous in thinking that gerontology would benefit from greater connections with elder law, and that “increased collaborative teaching and research would alter the ‘silo’ arrangements currently restrict[ing the] understanding and cooperation between professions working to help older adults.”⁴⁰ Many described elder law as being able to provide a context within which to understand the challenges faced by older adults and their families and would help both fields better understand the relationships between the law, social policies, and services for older adults. For example, one noted that:

It’s kind of good to know what rights people have, and what they’re entitled to, and how people work within the kind of constraints and opportunities that the government might provide in terms of older adults.⁴¹

One gerontologist suggested, moreover, that connecting the fields would bridge another type of gap: that between academia and practice.

I think it’s [greater interaction with elder law] important in terms of bridging the research and practice gap as well. I mean, I think, if we were to research more areas of elder law and use it more in gerontology, it would be much more practical for practitioners. And I know that some of the work that we’ve done here in [location in the U.K.], certainly on elder abuse, working with our prac-

39. Gerontology Professor Interview, *supra* note 20, at Response 6.

40. *Id.* at Response 13.

41. *Id.* at Response 9.

tice communities has actually helped . . . research. So I think the more we can look at the legal context, you know, I think it gives credibility to gerontology in the practice and policy world. Actually if there's a hook to put these things on. And the legal hook, I think, is quite a powerful one.⁴²

Elder law academics were also generally supportive of the notion of elder law being taught in the context of aging and generally saw value in connections between the fields. Elder law scholars discussed the importance of gerontology providing a context to better understand and address the needs of elderly clients. An academic in a clinical teaching position, for example, spoke of how broadening perspectives can change attorneys' responses to individual cases.⁴³ Another elder law academic elaborated:

[Y]ou really can't understand who your client is without understanding this very complex and connected web of relationships. So it's about understanding some of the medical issues, the psychological issues, the social issues that impact older clients." Noting that without that understanding elder law attorneys are not in a position to help clients "proactively plan," the respondent explained that . . . "[F]rom a practical standpoint, if elder law practices are going to be more than just Medicaid planning and social security/disability planning, and things like that, then, or doing guardianship, elder law attorneys need to be able to proactively offer planning guidance to their clients.⁴⁴

Yet another commented that elder lawyers "need an awareness of other issues to understand how they can help or implicate a client's legal issues" because "working in a silo is just silly."⁴⁵

Elder law academics also voiced support for connections on the grounds that interdisciplinary collaboration could help identify non-legal solutions to problems and work with other professionals to meet client needs. One explained that "we too often treat these areas as silos and with bad results. And so, what I'm constantly trying to do is get us to collaborate so we can have better outcomes.... Disciplinary silos limit effectiveness of advocacy; collaboration can lead to better outcomes; greater interaction would benefit both disciplines."⁴⁶ Another explained that the important issues facing older adults "absolutely cannot be addressed in a legal vacuum. They have to be addressed by looking at the full dynamic and so whether you call it gerontology, so-

42. *Id.* at Response 14.

43. Law Professor Interview, *supra* note 21, at Response 6.

44. *Id.* at Response 8.

45. *Id.* at Response 10.

46. *Id.* at Response 7.

ciology, it can't be adequately addressed without bringing everyone to the table."⁴⁷

Notably, participants from both fields discussed the importance of understanding the legal rules that affect the aging experience. By way of illustration, one elder law academic provided the following example:

I think the average healthcare provider is stunned to realize that the decision about consent to make a power of attorney or to make a gift can depend on a moment of lucidity which is often used in the law, and which is relatively horrifying to the average gerontologist and for good reason . . . I think they assume there's going to be a more robust evaluation of consent and that somebody who is diagnosed by somebody with expertise in dementia would be consulted before you do a will or another transaction that has financial implications, for example. And many lawyers will depend upon their "expertise" in determining whether or not the person has consent without consulting with physicians . . .⁴⁸

B. Respondent Suggestions

In addition to asking respondents to describe connections between the fields, we asked respondents for their ideas regarding how to connect the two fields and, in particular, what might be done to encourage the infusion to the other field into their own.

1. STRATEGIES TO INCREASE CONNECTIONS BETWEEN FIELDS IN GENERAL

When asked what could be done to foster connections between gerontology and elder law globally, a few participants—despite being recognized as thought leaders in gerontology and elder law—did not have any recommendations for fostering these connections, or did not see a need to foster these connections. Other participants recommended active, system-level approaches to fostering connections between gerontology and elder law. Many of these suggestions included making funding available to encourage interdisciplinary teaching and inter-professional research collaborations. Some respondents focused on funding by academic institutions. For example, one suggested that a good "kick starter" would be to create a cross-disciplinary research

47. *Id.* at Response 8.

48. *Id.* at Response 7.

center within an academic institution.⁴⁹ More, however, focused on external grant organizations.

Another suggestion offered by multiple interviewees was to incorporate more flexibility in the tenure process for different academic fields:

[F]ellowships, research opportunities are always helpful. Convincing people that they don't have to stay in their tunnel. That they can get tenure moving out. And a lot of trouble with gerontology with is that it's a field, it's really not a discipline so there are very few places where they can award tenure. Law has its own sort of hierarchal rituals and so combining them is difficult. So you have to give people opportunities to make it worth their while to take risks.⁵⁰

Several participants from both fields talked about the role of professional organizations in fostering connections, either through joint conferences, or joint workshops at professional meetings:

I think it is a matter of making sure that our worlds come together, that [getting together at conferences] is the first step, more networking, more awareness.⁵¹

[O]ne way is through the accrediting body's curriculum standards. Another way is through professional organizations and, uh, which tend to focus within themselves, but I think when an interested group within [an organization like the American Society on Aging] are interested in elder law, [they] might be able to propose a meeting, or teleconference, with the people within the ABA, you know, their division or section that's doing elder law, and discuss shared issues that are arising, discuss possibilities for shared research, for shared presentations at meetings. I think . . . it really comes from individuals, certain individuals, within the organizations that are leveraging the organization to sort of reach out across the disciplines to form those connections.⁵²

Another interviewee recommended that key conferences develop "one stream focused specifically on elder law" within them to encourage participation by attorneys and foster connections between the fields.⁵³

Some respondents elaborated that those bringing together scholars should focus on bringing them together around a concrete prob-

49. *Id.* at Response 11.

50. Gerontology Professor Interview, *supra* note 20, at Response 1.

51. *Id.* at Response 12.

52. *Id.* at Response 5.

53. Law Professor Interview, *supra* note 21, at Response 11 (explaining that "So in the key gerontology conferences, that there would be, you know, one parallel session running throughout the whole conference focusing on these issues and that could be one way to draw lawyers into that space.").

lem as a way of encouraging dialogue.⁵⁴ Notably, this suggestion was consistent with many participants indicating that when they work in a cross-disciplinary matter it is with regard to a particular, targeted issue.

Finally, one participant suggested that the importance of legal issues be recast as an issue of “legal literacy” thus bringing the issue in line with how gerontologists talk about health.⁵⁵

2. STRATEGIES TO INFUSE OTHER FIELDS INTO TEACHING

Most participants in both fields, when asked how they would infuse the other field into their own teaching, focused on changes they would make on the individual or institutional level. For example, several said they would consult with colleagues in the other field or have them in as guest lecturers, or use textbooks and other materials from the other field. Many recommended the creation of modules by the other field for inclusion in their home field’s course materials. One, however, suggested that a text that integrated legal issues with issues they already teach might be helpful and more useful than a stand-alone module.⁵⁶ Another suggested that the best way to forge connections would be through collaborative teaching arrangements.⁵⁷

Some participants, however, discussed ideas for broader change. One, for example, recommended that workshops be held for professors to increase their competency in the competing field:

I think the workshop model works well . . . if you had a three or four-day workshop where you were inviting people to campus . . . and you were immersing them in the legal perspectives on aging and how a legal scholar thinks, I think they would see, not only see the utility of incorporating this perspective into their own teaching and the curriculum at their own institution, but they’d be less intimidated to try to attempt to do it too . . . I personally think a workshop model works really well because it makes people feel comfortable with the material in a way that they’re willing to take it back and integrate it into their own curriculum. So . . . if I were charged with doing this, I would want to have a program that attended to sort of spreading the word and providing training to others at other universities to do this type of work.⁵⁸

54. One elder law academic, for example, stated: “You could start with a task force, or a conference, or something to try and bring people together. But I think I would do it around a problem. . . [P]eople are usually pretty busy. They aren’t gonna pay attention.” *Id.* at Response 2.

55. Gerontology Professor Interview, *supra* note 20, at Response 13.

56. *Id.* at Response 14.

57. *Id.* at Response 1.

58. *Id.* at Response 8.

While the suggestions for infusing the other field into teaching tended to focus on communicating “practical” knowledge between the fields, another participant suggested that connections could be forged by comparing theoretical approaches:

I would say when you start off teaching about the sort of the foundational theories that underpin the different legal approaches to older people; you do that by reference to the different social and political theories that have been developed. So, you know, before you teach, like, you know, mandatory retirement ages you talk about the theories of the political commentary of aging, for example. And you use those theories then to critique and deconstruct when you actually teach them what the substantive law in that field is so I think that’s the best way to do it. So, start with the social and political theories, then introduce the law and see if the students can kind of work backwards to reason, like to understand what philosophy underpins that particular law and then to think about maybe how it should be changed based on new and emerging philosophies on how we respond to older people for example. That would probably be one way to do it.⁵⁹

3. STRATEGIES TO INFUSE OTHER FIELDS INTO RESEARCH

There was significant divergence in responses when participants were asked for their suggestions for infusing the other field into their field’s research. Elder law participants suggested both micro-level (i.e., how they were or could infuse gerontology into their own research) and the macro-level (i.e., what external forces would encourage elder law academics in general to infuse gerontology into their research) approaches to infusing gerontology into elder law research. The most frequently cited macro-level approach was for funders to target grants to projects that engage in cross-disciplinary collaboration. For example, one elder law academic advised that:

[T]he best way to make it happen in research is to provide funding for interdisciplinary work. You know, so that you put together teams that come from the different fields and each bring their own disciplinary background and strengths to the process but maybe on a discrete topic or something.⁶⁰

Another macro-level recommendation involved changing incentives for tenure and promotion for law faculty. For example, one U.S.-based elder law academic recommended changing the incentive system for younger elder law scholars to encourage more “practical”

59. Law Professor Interview, *supra* note 21, at Response 11.

60. *Id.*

work that would be of interest to other disciplines instead of encouraging work focused on “abstract legal problems.”⁶¹

A note of caution, however, was sounded by an elder law academic who warned that strategies for infusing gerontology into legal education were likely to confront a significant, structural barrier to doing so: a dearth of full-time, research-oriented faculty in the field of elder law itself. The interviewee lamented:

[O]ne thing that troubles me is a lack of people who, in the academy, are going into this field. That, you know, what I’m seeing with increasing frequency, and it’s happening at my own law school, is that these courses are being taught by adjuncts. And that’s not necessarily bad, it’s just that when you look at research and you look at, you know, these interdisciplinary connections that the likelihood of those sort of things happening diminishes when, you know, the elder law course is not being taught by a fulltime professor. Because, you know, adjuncts have no, you know, they have no incentive to do that sort of research or to, and probably very little opportunity to have that interdisciplinary connections with, you know, nursing schools, or gerontology departments and that kind of thing. . . . And I will say this, I have seen a really growing interest in the part of law students in elder law, so that’s been gratifying, but, I’m not seeing a concomitant growing interest in the part of faculty to be involved in it.⁶²

Gerontologists also approached the question of how to infuse the other field’s research from both the micro- and macro-level. Those who approached the question from the micro-level were less likely to provide suggestions or see the value in doing so. For example, some gerontologists considering the question from a micro-level indicated that they did not think elder law was a natural fit with gerontology research; they said they did not know how to answer the question; thought researchers should be allowed to decide for themselves if they wanted to include legal issues; and reported they were not interested in adding another item to their research agenda, or even thought it was a strange question to ask:

I’d probably find a lawyer I could work with in another university and see where our synergies were really or look at my own topic area, look at where there was some legal work been [under]taken and see where there⁶³ are any opportunities for collaboration . . . It’s a strange question.

Those participants thinking on the macro-level were more likely to consider system-level change when asked about infusing the other

61. *Id.* at Response 5.

62. *Id.* at Response 8.

63. Gerontology Professor Interview, *supra* note 20, at Response 14.

field into research in their home field. In many cases, gerontologists, like elder law academics, discussed the importance of funding for creating opportunities for interdisciplinary research. Funding was the key “opportunity creator” identified:

I think that [infusing legal concerns into gerontology research] comes down to the funding bodies. Most research, most funded research is actually set up by the people who are wanting a particular topic research done. So, my approach would be to approach the boards or the executives or corporations or associations or bodies that fund research and convince them to make it a requirement in the research applications that they set aside that alignment of legal rights and gerontology within the search that they’re doing. I don’t think you can retro-fit it. I think you’ve got to do it from the beginning.⁶⁴

Funding incentives were described as a way to overcome inertia and the academic tendency toward silos:

[I]n some ways I think that’s [infusing elder law into gerontology research] harder than the curriculum issue [infusing elder law into gerontology teaching] because then you’re fundamentally trying to shape, influence peoples research agendas. So how do you motivate people to maybe move into an area that they’re not currently working with and/or make a collaborator relationship with someone they’re not currently collaborating with, right? . . . [O]ne way of doing that I think, and we’ve tried to do a little bit of this, is just getting the faculty to know one another and talking about their interests, if you could develop a thematic area that faculty from biology and sociology and social work and the law school are all interested in and getting them all talking about that I think helps develop those relationships. But, you know, waiting for relationships to naturally occur, you know, they may never occur [laughs]. Because everybody’s busy, right? How do you really make this happen? So, I mean, in my ideal world, I would want a pot of seed money to say okay, faculty from the law school and, you know, this set of programs—or any other program on campus—if you want to collaborate on a research project, you know, you can get X amount of, for a summer seed project. With the intention of them developing that collaborative relationship and writing some sort of proposal that would be submitted to an external funder. Ideally, I think you would have to have that. . . I don’t think that would necessarily guarantee that those relationships would develop but I think it would help at least get the relationships started and give them a chance of developing and encourage the development. So, that’s what I would want to see happening personally is a pot of money [laughs].⁶⁵

64. *Id.* at Response 13.

65. *Id.* at Response 8.

Several elder law academics also pointed to a role for gerontology-focused journals creating special issues devoted to legally-related issues.⁶⁶

IV. Discussion

A. Limitations of Study

Before discussing the implications of the study's findings, the study's limitations should be acknowledged. First, as described in the methodology section, while the response rate was quite high, some potential participants did not respond or declined the invitation to participate. Second, participants were located exclusively in English-speaking common law countries, and most were based in the United States. Thus, the study does not capture the potentially more diverse experiences in non-English speaking and civil law countries, and further research broadening the scope of this inquiry to non-English speaking countries would be valuable. Third, the study protocol was transparent about the fact that the study aimed to explore connections between the two fields and that it was being conducted by academics from both elder law and gerontology backgrounds. This could have led to an acquiescence bias. For example, it might have lead participants to voice greater enthusiasm for cross-disciplinary work or the other field than would otherwise have occurred.

Finally, due to its qualitative nature, the findings only reflect the subjective experiences of the participants. Understanding participants' subjective perceptions of both fields is critical if we are to understand and identify barriers to integration. However, further research would be needed to provide a quantitative account of current connections and disconnections between the fields.

Keeping in mind these limitations, the study still helps describe the current nature of the relationship between the fields of gerontology and elder law, identify barriers to increased connections between the fields, and suggest concrete steps that could be undertaken to increase and strengthen connections between the fields.

66. For example, one elder law academic suggested looking for . . . "special issues of various journals or commission sort of an edited collection that crosses, that has authors from each of the disciplinary backgrounds . . . maybe co-author as well so it's not just one half of the volume is on social gerontology and the other half on elder law." Law Professor Interview, *supra* note 21, at Response 11.

B. Current Connections and Disconnections

The interviews revealed a substantial overlap in the teaching and research interests of elder law academics and gerontologists. As these findings indicate, the two fields are interested in very similar topics, although they may be looking at different aspects of those topics. When asked about the inclusion of material from the other fields in their teaching and research, many participants reported already doing this to some degree, or approached these questions as opportunities to think outside of their own field and explore the possibilities of increasing their level of interdisciplinary teaching and research.

The interviews also revealed, however, that much of the overlap between the fields remained invisible to the respondents. That is, although the two fields teach about and research complementary issues—and, in some cases, identical issues—they often described those issues as belonging exclusively to their own field.

There appears to be greater interaction in teaching-related activities than in research-related activities. Much of this, however, appears to come in the form of professors inviting scholars and professionals from other disciplines to guest lecture in their classes, as opposed to the professor him or herself teaching the cross-disciplinary matter.

The interviews also suggested that the extent to which elder law academics and gerontologists interact tends to be opportunistic and based on individual relationships, as opposed to systematic or formal, institutional arrangements. The result is that the presence of a single representative of the other field in the interviewees' home institution appears to substantially influence their understanding of connections to and their interest in incorporating the other field. Likewise, the small number of elder law academics participating in venues attracting gerontologists may have significant impact. Many of the gerontologists interviewed cited conferences as a key venue for making connections with other scholars and suggested that the presence of elder law academics at such conferences could help forge connections between the two fields.

C. Barriers to Increased Connections

The interviews suggest that there are several key barriers to forging greater connection between the fields of elder law and gerontology. In terms of connections in teaching, there appear to be two primary barriers. The first key barrier is a lack of familiarity with the other

field's content. A number of gerontology professors, for example, cited lack of expertise as a reason why they do not bring more legal content into their gerontology courses. The second key barrier is lack of time. That is, professors have limited time to divide among course topics, and topics perceived as less central are therefore omitted or given less attention.

In terms of connections in research, there appear to be several barriers. First and foremost, the two disciplines have limited awareness of research occurring in the other field. As noted above, gerontologists interviewed reported rarely, if ever, reading legal scholarship.⁶⁷ Elder law academics appear to make greater use of out-of-field research, but they too reported that they did not read gerontology research as a routine matter. This may explain why gerontologists frequently describe topics they research as not involving legal issues when legal academics would describe those same topic areas as falling squarely within the realm of elder law. Second, there does not appear to be an incentive structure in place to encourage such collaborations in research. To the contrary, in some cases, tenure standards may discourage the type of practical, collaborative work that would bring together scholars from the two disciplines.

In both contexts, differences in terminology may also be a significant barrier to collaboration. For example, it appears that gerontologists considered certain issues to belong to gerontology because they describe those issues as "policy" issues, whereas elder law academics consider those same issues to belong to the legal field because they described them as "legal" issues. Notably, both groups were "correct"—the issues reflected both policy judgments and considerations and laws implementing and affecting those judgments and considerations. Indeed, even the names of the fields may pose some barrier to collaboration. This was recognized by one gerontologist, who reported a preference for describing the field as that of "aging" because using the term "gerontology" creates "a perception of a silo around what I'm dealing with."⁶⁸

Finally, the limited numbers of academics actively pursuing research in the field of elder law may itself be a significant barrier to building connections. The small nature of the field was underscored

67. When asked why, one simply explained "it's not my field." Gerontology Professor Interview, *supra* note 20, at Response 11.

68. *Id.* at Response 13.

not only by the fact that we were able to identify only a relatively small number of elder law academics who met the qualifications for inclusion in this study, but also by the fact that elder law academics participating in the study, when asked to recommend other potential interviewees, typically recommended the same set of “usual suspects.” Notably, our findings regarding the limited nature of elder law as a field of academic research are consistent with findings from an earlier study surveying elder law professors in the United States which found that only slightly over half of professors surveyed engaged in research in the field.⁶⁹

D. Strategies for Increasing Connections

Our interviews suggest five key interventions to increase connection between the two fields. The first two have particular potential to increase connections in teaching, the third has the potential to similarly increase connections in both teaching and research, and the final two have particular potential to increase connections in research.

1. DEVELOP CROSS-DISCIPLINARY CONFERENCES OR CROSS-DISCIPLINARY PRESENTATIONS AT ESTABLISHED CONFERENCES

As discussed above, respondents from both fields suggested that professional organizations could play an important role in fostering connections between the fields by sponsoring cross-disciplinary conferences, cross-disciplinary presentations, or workshops at existing professional conferences. The latter may be particularly efficient as it does not require establishing any new organizations or forums, but merely requires inclusion of the other discipline in established conferences.

At least initially, workshops at existing conferences might be most effective if based around a particular topic area (e.g., elder abuse) or around a concrete case study or policy question. Grounding cross-disciplinary conversation in the concrete may be an effective tool for encouraging dialogue.

69. See Kohn & Spurgeon, *supra* note 4, at 423-24. Notably, those with adjunct status were less likely to engage in related research than those who were tenured or tenure-track.

2. EXPAND ACADEMICS' COMPETENCIES THROUGH INTENSIVE WORKSHOPS

Educational institutions and aging-related, non-governmental organizations could increase the likelihood both of gerontologists integrating elder law issues into gerontology courses and elder law academics integrating gerontology issues in elder law courses by conducting intensive training workshops designed to train academics in one field on the core aspects of the other field. Such workshops would help academics gain the expertise they need to feel comfortable with integrating knowledge from the other field in their courses. Such workshops could also potentially benefit the sponsoring institution or organization by raising awareness of its expertise and thus its stature.

3. DEVELOP TEACHING MODULES THAT PROFESSORS CAN INSERT INTO EXISTING COURSES

Respondents identified both time constraints and lack of expertise as barriers to bringing content from the other discipline into their courses. Individuals and organizations could lower the costs associated with bringing such content into courses by creating discrete modules (i.e., selected readings, exercises, discussion questions, and potentially audio-visual material) that instructors could insert into their existing programming. Such materials would likely have the most significant impact and be most attractive if provided free of charge, but could potentially be produced for profit. It might also be possible to deliver these modules through established textbooks by working with textbook authors and publishers to include such content in future editions of leading resources.

4. PREFER INTERDISCIPLINARY TEAMS FOR AGING-RELATED RESEARCH GRANTS

The interviews suggest that grant makers—whether they be philanthropic organizations or educational institutions offering seed grants—can foster interdisciplinary collaboration by giving preference to applicants who can show they will work in an interdisciplinary manner with academics from more than one disciplinary field. Since the primary goal of such grants would be to create awareness of scholars in the other field and to initiate personal connections between scholars, and not necessarily to sustain long-term collaborations, it might be possible to make a large impact with relatively modest sums.

5. MAKE LEGAL SCHOLARSHIP AVAILABLE IN FORA UTILIZED BY GERONTOLOGISTS

The interviews suggest that few gerontologists are aware of or read elder law scholarship. It appears that this may in large part be because that scholarship is not available in the forums in which they look for information. If elder law scholarship is to influence and inform gerontology scholarship, it would be helpful not merely to point out its value to gerontologists but to lower the cost (including the time) of acquiring such scholarship. Perhaps the most direct way to achieve this end is to encourage elder law publications to contribute to existing social science databases, and to encourage elder law academics to use their best efforts to deposit articles placed in general legal journals in social science databases. Another potentially valuable intervention would be to encourage the publication of legally-oriented articles in journals read by gerontologists, perhaps as part of a special issue focused on legal concerns.

V. Conclusion

Nearly forty years after Cohen's call to connect gerontologists with lawyers, the fields of gerontology and elder law remain largely bound in disciplinary silos. To be sure, there are some interactions between the fields: many of the gerontologists and elder law academics interviewed reported that they include at least some teaching from the other field in their classes, some utilized research from the other field in their scholarship, and, perhaps most importantly, members of both groups typically saw value in learning from the other field.

Nevertheless, despite these positive elements, there is still an absence of significant interdisciplinary collaboration and integration between the two worlds of knowledge. Although many participants in this study effectively voiced support for Cohen's call to connect the fields, true implementation of Cohen's approach has yet to occur. As reported in the findings, even leaders in each field were often blind to the fact that issues they described as exclusively "legal" or "gerontological" could be viewed as "non-legal" or "non-gerontological" in the eyes of those from the other field. Thus, awareness of the possibility of constructing the same topic or issue in a cross-disciplinary manner was largely missing. The disconnection between the fields is also manifested in each field's focus on its own, internal literature, a focus especially strong among the gerontologists interviewed. This focus ap-

pears to be re-enforced by structural and organizational constraints, such as a lack of shared databases and conferences.

This continuing disconnection between the fields works to the disadvantage of both. It hampers the development of the field of elder law. Elder law is inherently an interdisciplinary field,⁷⁰ the practice of which benefits from being informed by the larger study of aging. As participants explained, attorneys representing older adults are likely to be better advocates and counselors if they understand the aging processes and the social and cultural systems in which older adults are embedded. The continuing gap between the fields also impoverishes gerontology, as the understanding of legal frameworks is integral to understanding of the experience of growing older. As those writing in the area of elder law often recognize, legal rules and structures shape the experience of growing older.⁷¹ Moreover, theories both in law and gerontology can be advanced by the insights learned through crossing disciplinary borders and empirical knowledge can be expanded by exploring new factual terrains.

Perhaps more fundamentally, the continuing disconnection between elder law and gerontology has the potential to impede effective social policy in the area of aging. Laws and policies designed to support older adults are likely to be better designed and more effective if those involved in drafting them appreciate both the legal and social aspects of aging.

Fortunately, this study suggests that there are a number of concrete steps that educational institutions and philanthropic organizations could take to change this reality. Taking such steps will help promote cross-fertilization of ideas in both teaching and research, thus better preparing students to work with older adults and helping researchers to learn from one another.

VI. Appendix: Interview Protocol and Script

CONSENT

This is a research study exploring connections between the fields of gerontology and elder law. I will be asking you questions about

70. See Kapp, *supra* note 5, at 364 (describing elder law practice as “inherently interdisciplinary and interprofessional in nature, requiring the competent attorney to cooperate and collaborate with health and human service professionals and agencies, as well as non-legal advocacy and support organizations”).

71. See, e.g., Nina A. Kohn, *Legal Gerontology*, in GERONTOLOGY: PERSPECTIVES AND ISSUES (Janet Wilmoth & Kenneth Ferraro eds., 4th ed. 2013).

your teaching and your research, and relationship between [participant's field: gerontology/elder law] and the field of [gerontology/elder law]. The interview is expected to take approximately 30-40 minutes and will be recorded. Your participation is voluntary and you can withdraw from the interview at any point without penalty. If you have any questions, concerns, or complaints about this study you can contact either me at *mbrown08@syr.edu* or the study's co-Principal Investigators whose contact information is included in the email I sent you on [date].

Do you consent to participation in this study?

[If the answer is no, end discussion and thank individual for their time; if the answer is yes, continue to Part A.]

INTERVIEW SCRIPT FOR GERONTOLOGY PROFESSORS

Part A. Interviewees' attitudes about elder law and gerontology in general

A1. What do you see as the core components of the study of gerontology?

A2. Does the study of gerontology currently involve the study of legal issues?

A2a. If yes to A2: What legal issues?

A3. Are there any legal issues that you think are central to an understanding of aging?

A3a. If yes to A3: What legal issues?

[If the answer is no, skip to Part B]

Part B. Interviewee's current teaching

B1. Do you currently teach any gerontology courses?

[If the answer is no, skip to Part C]

B2. What gerontology courses do you teach?

B3. Do you cover any legal issues in your course(s)?

B3a. If yes to B3: What ones?

B4. Are there legal issues you would like to cover in your course(s) but do not?

B4a. If yes to B4: What issues would you like to cover?

B4b. If yes to B4: Why do you not currently cover those issues?

B4c. If yes to B4: What, if anything, would lead you to include/expand instruction

on legal concerns to your existing courses?

Part C. Interviewee's current scholarship

C1. Do you currently publish in the area of gerontology?

[If no, skip to Part D]

C2.What is the focus of your gerontology-related scholarship?

C3.Does your gerontology-related scholarship discuss or address any legal issues?

C3a.:*If yes to C3:* Which legal issues does your scholarship discuss or address?

C4.Are there [other] legal issues that you find to be relevant to your scholarship?

C4a:*If yes to C4:* What other legal issues are relevant to your scholarship?

C4b:*If yes to C4a:* Do you think your future scholarship is likely to address these?

C4c:*If no to C4b:*Why not?

Part D. Awareness of elder law research/teaching

D1.Do you read legal scholarship that addresses aging issues?

D1a.*If yes to D1:* Do you find it useful?

D1a(i).*If yes to D1a:* In what way is it useful?

D1a(ii). *If no to D1a:* Why is it not useful?

D1b.*If no to D1:* Are you aware of scholarship that does so?

D1b(i): *If yes to D1b:* Why don't you read it?

D2.Do you know of educational programs, either at your institution or elsewhere, that attempt to connect elder law and gerontology?

D2a.*If yes to D2:* Tell me more about that/them. [interviewer may ask follow up questions to understand operation]

Part E.Suggestions

E1.Do you think the field of gerontology would benefit from greater interaction with the field of elder law, that is, the study of legal issues as they affect older adults?

E1a.*If yes to E1:* How would it benefit from such connections?

E1b.*If no to E1:* Why would it not benefit from such connections?

E2.What could be done to foster such connections between gerontology and elder law?

E3.If you were tasked with infusing legal concerns into the teaching of gerontology, what would you do? Why?

E4.If you were tasked with infusing legal concerns into gerontology research, what would you do? Why?

E5.Is there anything else our study team should be aware of or thinking about as we explore connections between the fields of gerontology and elder law?

E6. Are there other key people that you believe we should interview as part of this project?

INTERVIEW SCRIPT FOR LAW PROFESSORS

Part A. Interviewees' attitudes about elder law and gerontology in general

A1. What do you see as the core components of the study of elder law?

A2. What, if anything, do students of elder law need to know about aging?

Part B. Interviewee's current teaching

B1. Do you currently teach elder law?

[If the answer is no, skip to Part B]

B2. What is the name or names of the courses you teach?

B3. Do you cover any non-legal issues in your course(s)?

B3a. *If yes to B3:* What ones?

B4. Are there other non-legal issues you would like to cover in your course(s) but do not?

B4a. *If yes to B4:* What issues would you like to cover?

B4b. *If yes to B4:* Why do you not currently cover those issues?

B4c. *If yes to B4:* What, if anything, would lead you to include/expand instruction

on legal concerns to your existing courses?

Part C. Interviewee's current scholarship

C1. Do you currently publish in the area of elder law?

[If no, skip to Part D]

C2. What is the focus of your elder law-related scholarship?

C3. Does your scholarship draw upon research from any fields other than law?

C3a. *If yes to C3:* Which other fields?

Part D. Awareness of elder law research/teaching

D1. Do you read non-legal scholarship that addresses aging issues?

D1a. *If yes to D1.* Do you find it useful?

D1a(i). *If yes to D1a.* In what way is it useful?

D1a(ii). *If no to D1a.* Why is it not useful?

D1b. *If no to D1.* Are you aware of scholarship that does so?

D1b(i). *If yes to D1b:* Why do you not read it?

D2. Do you know of educational programs, either at your institution or elsewhere that attempt to connect elder law and gerontology?

D2a.*If yes to D2.* Tell me more about that/them. [interviewer may ask follow up questions to understand operation]

Part E.Suggestions

E1.Do you think the field of elder law would benefit from greater interaction with the field of gerontology?

E1a.*If yes to E1:* How would it benefit from such connections?

E1b.*If no to E1:* Why would it not benefit from such connections?

E2.What could be done to foster such connections between gerontology and elder law?

E3.If you were tasked with infusing gerontology into the teaching of elder law, what would you do? Why?

E4.If you were tasked with infusing gerontology into elder law research, what would you do? Why?

E5.Is there anything else our study team should be aware of or thinking about as we explore connections between the fields of gerontology and elder law?

E6. Are there other key people we should interview as part of this project?