

## **Making and Planning Legal Decisions About Dementia**

*"I'll Take Care Of That Tomorrow"*

*Part 1 of 4 Articles*

*by Louis Levenson*

How many times have you or your spouse said (about Mom or Dad or an adult family member with "issues") that a lawyer should be consulted? Be honest. Yet it does not get done. It gets moved to another day and on a lower priority by the day-to-day demands on our attentions. Have you ever said to yourself: "self, I have to do such and such" i.e. An important errand or financial matter and then I have promptly forgotten it...? And then later you thought to yourself that such forgetfulness and confusion might be more than just a "ha ha" moment? That maybe there is something more to it. But it will pass and I can talk to the doctor when I see her next. (We know that doesn't happen either.) Or maybe it is just about protecting your spouse or partner. I.e. what systems are in place to take over in the event of my possible decline in mental health in the future?

But the most common and usual answer to all of these questions (drum roll here please) is: I can procrastinate about this - for a while at least. Well, you can do that. But you should not do that.

Here are some statistics for you from a lawyer who wants you to avoid having to pay him or someone else to deal with what usually happens as an urgent legal demand due to the ABSENCE of the necessary documentation (Health Care Proxies, Powers of Attorney, Wills, Designation of Guardians and Conservators, etc.) The Rand Corporation Center for the Study of Aging did a study in 2013 and said "the monetary cost of Dementia in the United States ranges from \$159 billion to \$215 billion dollars annually, making the disease more costly to the nation than either heart disease or cancer" and that by the year 2050 Alzheimers Disease will cost the United States over \$1 trillion dollars.

No lawyering can avoid possible declines into dementia, but preparation BEFORE it may happen can dramatically lessen the financial impact on your family and can re-focus attention on the person with dementia in an organized manner, not a hurried and frantic rush. Lawyers who practice in this area counsel their clients in a professional and caring manner to heed this information, i.e. what can be done now and putting in place the right legal plans and documents.

Unlike Frisbees and winter caps, one size does NOT fit all. Being prepared will help to deescalate the crises that WILL occur. They will occur for sure, particularly when your doctor explains the different types of dementia, the different progressions of the diseases, and how each one can impact the loved one differently.

So to conclude Part One of this series of articles, your humble lawyer and writer simply says: talk about it, talk to your lawyer about it, get prepared and get it done. Not tomorrow. Or next week. But yesterday if possible. If that is not possible, today please.