

Getting the best from Legal Services for people with dementia

Getting the right help with a legal need can make a huge difference for people with dementia. For example, people with dementia often use legal services to make their will or arrange a lasting power of attorney.

Many people feel unsure or worried about using legal services. This is very understandable, when dementia can affect your memory and how you speak, feel, behave and plan things.

We have spoken to people with dementia and their carers about their experiences of using legal services. This has shown the sorts of things that lawyers can do to make sure you get the right advice and support.

They have shared their simple tips, to help others in similar situations.

These cover:

- When you need a lawyer
- Useful things to know
- What you should expect from a lawyer
- How you can help
- Useful organisations for further information

The Legal Services Board is the independent body responsible for overseeing the regulation of lawyers in England and Wales.

Please note that we cannot provide legal advice, deal with legal aid queries or intervene in any new or ongoing complaint or dispute you may have with a lawyer.

Do you need a lawyer?

- Whether you need a lawyer depends on the kind of help you need. For matters such as lasting power of attorney and writing a will you don't have to use one, but their skills and experience can help.
- Many people find it helpful to start with some quick or free advice they can trust. Some charities and advice organisations have useful websites and advisors you can talk to.
- Many lawyers will have an initial conversation with you for free, or at a reduced cost, to help you decide what to do next.

If you decide to use a lawyer, it's a good idea to:

- Ask around for recommendations. Friends or support organisations may be able to tell you about legal services in your area that are 'dementia friendly'
- Ask what experience of specialist help they can offer. Some lawyers and firms specialise in working with older people and the types of needs older people often have. This includes dementia.

Useful things to know

- Before the work starts, lawyers must put in writing what you'll pay and what you'll get from them in return. If you don't understand the way this has been explained to you, ask them to clarify.
- Different lawyers may charge a different price for the same service. It can be a good idea to ask around and compare costs.
- You can check if lawyers or the firms they work with are regulated, which means they meet standards for the work they do and you have some additional protection if things go wrong. The paperwork should say which organisation the lawyer is regulated by. You can visit the regulator's website to check this information is correct.

What should I expect from my lawyer?

- Lawyers should make you feel respected and understood
- The first time you call, you will need to give some basic information about what you want help with. Try to be prepared in advance, maybe with some notes written down, or with someone to help.
- Before you meet for the first time, you can ask them to send some more information about their services and the law. This can help you to plan what questions you want to ask.
- You can ask them to put information in the format that works best for you. For example, a written record can give you more time to think things through and decide what you want to happen next.
- Many lawyers can see you at home, although there may be an additional cost for this service. Ask if they offer home visits, if you think this would help you to relax and concentrate.

Lawyers should always

- Use straightforward words and writing and explain things to you, including any legal terms you don't understand.
- Give you time to think and answer questions.
- Should speak directly to you even if you have a carer present or if someone has told the lawyer what you want on your behalf. The lawyer may want to speak with you in private, to be sure that they understand your own wishes and directions.

You can help by:

- Asking questions whenever you need to. A good lawyer will try hard to answer and make sure you understand each other.
- Letting them know if you need more time to explain things, can't find the right word, feel upset or are finding it hard to follow the conversation.

Useful organisations for further information:

Alzheimer's Society - www.alzheimers.org.uk

Tel: 0300 222 11 22

Age UK – www.ageuk.org.uk Tel: 0800 678 1174

Citizens Advice – www.citizensadvice.org.uk 03444 111 444 (in England) or 03444 77 20 20 (in Wales)

Legal Aid Agency –

<https://www.gov.uk/government/organisations/legal-aid-agency>

Tel: 0345 345 4 345 (for civil matters) or 0121 232 5500 (for criminal matters)

Legal Ombudsman (for complaints about lawyers) –

www.legalombudsman.org.uk Tel: 0300 555 0333