

# HELPING THE SENIOR LAWYER TRANSITION WITH DIGNITY

## 1 IDENTIFY THE PROBLEM

*Be alert for small changes to intervene early.*

- Denial of any problem
- Nonfunctional without assistant always present
- Frequent irritability
- Changes in routine or behavioral work
- Deteriorating performance at work
- Memory decline, consistently forgetful
- Increasingly misplacing everyday objects
- Perfunctory answers
- Loss of control of emotions, crying at work
- Grievances

## 2 APPROACHING THE SENIOR LAWYER

*Meet in a non-confrontational manner.*

- Include a witness and partner with someone the lawyer respects and trusts who can take lead on the conversation if that is not you.
- Start with the lawyer's good qualities and happy memories.
- Express your concern with gentleness and respect; Share what you see that is causing an issue.
- Act with kindness, dignity, privacy; not crisis mode
- Get the lawyer to talk; listen not lecture.
- While listening, add responsive and reflective comments.
- Discuss potential consequences such as a grievance investigation, disability proceedings, reputation in the profession, etc...
- Discuss alternatives such as inactive status or disability leave.
- Offer to call the lawyer's doctor with them or refer to a professional assessment and have contact information ready.
- Offer assistance and make recommendations for a plan that provides oversight (such as a buddy system or part-time practice with co-counsel).
- Remember that this is a process, not a one-time event. If all else fails, establish a safe line of communication with the lawyer.

## ✓ DO'S

- Speak clearly and slowly, using short sentences.
- Make eye contact with the attorney when they are speaking or asking questions.
- Be respectful and treat the lawyer with dignity.
- Act in a non-judgmental, non-labeling, non-accusatory manner.
- Destigmatize what it means to age and share that early intervention could help.
- Speak from personal experience, if applicable.
- Acknowledge you do not understand what they are going through including the reception of this conversation.

## ✗ DON'TS

- Ignore and do nothing.
- Include family, unless requested.
- Insist if lawyer says, "back off" (Attempt to discuss again later).

# RESOURCES TO HELP SENIOR LAWYERS

*These links will redirect you to non-LCL websites.  
LCL, as a matter of policy, does not directly endorse any other organizations,  
services, or websites; Nor can LCL ensure the accuracy of any content on said websites.*

## **GENERAL RESOURCES AND INFORMATION**

National Institute on Aging: <https://www.nia.nih.gov/>

Family Caregiving Alliance: <https://www.caregiver.org/>

Alzheimer's Association: <https://www.alz.org/>

**The Alzheimer's Association 24/7 Helpline** serves people with memory loss, caregivers, health care professionals and the public, providing reliable information and support to all those who need assistance. Call toll-free anytime day or night at **800.272.3900**.  
<https://www.alz.org/help-support/resources/helpline>

**Greater Pennsylvania Chapter of the Alzheimer's Association** serves 59 counties in western, central, and northeastern Pennsylvania through its offices in Harrisburg and Pittsburgh, along with a network of dedicated staff and volunteers across the Commonwealth.  
<https://www.alz.org/pa>

**Delaware Valley Chapter of the Alzheimer's Association** serves the greater Philadelphia area and the Lehigh Valley, Southern New Jersey, and the full state of Delaware. <https://www.alz.org/delval>

Alzheimer's Foundation of America: <https://alzfdn.org/>

**The Self-Administered Gerocognitive Exam (SAGE) at Ohio State University:** *Designed to detect early signs of cognitive, memory or thinking impairments.* <https://wexnermedical.osu.edu/brain-spine-neuro/memory-disorders/sage>

**Dementia (Medline Plus U.S. National Library of Medicine):** <https://medlineplus.gov/dementia.html>

**10 Early Signs and Symptoms of Alzheimer's (Alzheimer's Association):** <https://medlineplus.gov/dementia.html>

**Alzheimer's Disease Fact Sheet (National Institute on Aging):** <https://www.nia.nih.gov/health/alzheimers-disease-fact-sheet>

## **SENIOR LAWYER SPECIFIC RESOURCES**

**Lawyers in Transition (ABA):** *Resources related to end-of-career issues.*

[https://www.americanbar.org/groups/professional\\_responsibility/resources/lawyersintransition/](https://www.americanbar.org/groups/professional_responsibility/resources/lawyersintransition/)

**Senior Lawyer Resources (ABA):**

[https://www.americanbar.org/groups/lawyer\\_assistance/articles\\_and\\_info/senior\\_lawyer\\_resources/](https://www.americanbar.org/groups/lawyer_assistance/articles_and_info/senior_lawyer_resources/)

**VIDEO: Understanding Cognitive Impairment:** *A video from the State Bar of New Mexico demonstrating ways of intervening with a cognitively impaired colleague.* <https://www.youtube.com/watch?v=-gUS3N0RjPo>

**Ready or Not: When Colleagues Experience Cognitive Decline (Cliff Collins, Oregon State Bar Bulletin, Nov. 2014):**

<https://www.osbar.org/publications/bulletin/14nov/decline.html>

**Aging and Transitioning with Dignity, Texas Bar Journal, (February 2013):** [https://6875c9c6-a3d9-4ae8-8c78-1b886b403d15.filesusr.com/ugd/f5b35b\\_3157e4c9fd1d4b7097a64bcbc8c20292.pdf](https://6875c9c6-a3d9-4ae8-8c78-1b886b403d15.filesusr.com/ugd/f5b35b_3157e4c9fd1d4b7097a64bcbc8c20292.pdf)

**Concerns about Cognitive Impairment and Older Lawyers, ABA Senior Lawyers Division EXPERIENCE (Summer 2015):**

[https://cdn.ymaws.com/www.inbar.org/resource/resmgr/Conclave/new\\_Concerns\\_about\\_Cognitive.pdf](https://cdn.ymaws.com/www.inbar.org/resource/resmgr/Conclave/new_Concerns_about_Cognitive.pdf)

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