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Elder Abuse

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Inheritance

Elder Bankruptcy Filings: Capacity Issues

LGBT Couples Highlight Issues of a
Growing Elderly Demographic

Safeguarding the Rights and Entitlements
of Older Adults in Riverside County

Decisional Capacity Dilemmas



The official publication of the Riverside County Bar Association

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specific issues, to assess the patient's judgment skills, and include the patient's response in the context of the evaluation (directed clinical interview). A directed clinical interview attempts to determine whether the patient can respond knowingly and intelligently to queries about medical treatment, participate in a treatment decision by means of a rational thought process, and understand the nature and seriousness of his or her condition, the nature of the medical treatment recommended, the probable degree and duration of any benefits and risks, the consequences of lack of treatment, and the nature, risks, and benefits of any reasonable alternatives.

When an explicit competence evaluation is required, physicians should be aware of the relevant criteria and should be encouraged to use a structured approach to assessment. Research in the past decade suggests that physician performance of capacity assessments is often suboptimal. Physicians are frequently unaware of a patient's incapacity for decision-making. When incapacity is suspected, physicians may not know what standard to apply, and, as a result, their evaluations may omit mention of the relevant criteria or may not apply them specifically to decisions about treatment. In the past two years, the California Medical Association, in cooperation with the California Judicial Council, has convened a task force whose purpose is to clarify issues regarding proper completion of the capacity declaration, leading to the development of an educational program for physicians and other health professionals engaged in capacity assessment.

Frank Randolph, M.D. is the Chief of the Geriatric Section at Arrowhead Regional Medical Center.



ATTENTION RCBA MEMBERS

If you are not getting email updates/ notices from the RCBA and would like to be on our mailing list, visit our website at www.riversidecountybar.com to submit your email address.

The website includes bar events calendar, legal research, office tools, and law links. You can register for events, make payments and donations, and much more.



LEO A. DEEGAN INN OF COURT SEEKS MEMBERS



The Leo A. Deegan Inn of Court, established in April of 1992 and based in Riverside, is currently seeking legal professionals interested in participating in the 2012-13 program year. The Inn of Court, based upon the prestigious British Inns of Court, is taking applications for legal professionals practicing in the greater Riverside area, either in private practice or working for the government. Not all cities or regions have their own Inn of Court, but they are divided geographically.

Named after one of the most distinguished jurists in the history of Riverside County, and an individual who personified professionalism, civility, ethics and legal excellence, the Leo A. Deegan Inn of Court held its first meeting in September of 1992. The goal of the Inn is to provide a forum for lawyers and judges to discuss and debate various situations in which legal ethics impact the outcome of a case. Inn members are encouraged to "stretch the legal muscle" and be creative when developing programs that are educational and informative and when it comes to finding ethical solutions.

Inn membership is by invitation only and all lawyers and judicial officers are encouraged to apply. The current Inn's Board of Directors reviews all applications and makes selections based upon referral and what one's legal experience and reputation will bring to the overall program year. All attorney applicants must be current members of the Riverside County Bar Association.

Once selections are made, the Board divides all members into teams of eight; each team is comprised of Associate Members, Barristers, and Judicial Masters, to ensure a balanced blend of legal experience is achieved for team presentations. At the orientation meeting, held in September, teams meet for the first time and begin to plan their strategies for their respective presentations. Teams make an initial selection of months for their presentations and set out to determine topics.

The Inn's program year begins in September and continues through May. Dinner meetings are held from 6 to 8 p.m. once monthly, at a venue to be determined.

There are membership dues and dinner costs associated with membership.

For further information or to obtain an application, please contact the Inn's administrator, Sherri Gomez, at 951-689-1910 or via email to sherri.gomez4@gmail.com.



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