Responding to Client Vulnerability

The Reality Of An Ageing Society Of Increasing Longevity

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What is a Trigger – the story of 2018


• In case of anyone:
  • (a) over 70;
  • (b) being cared for by someone;
  • (c) who resides in a nursing home or similar facility; or
  • (d) about whom for any other reason the solicitor might have concern about capacity,
The Shape of Vulnerability
The span of generational responsibility

The generations defined

- **Born 1928-45**
- **Born 1946-64**
- **The Silent Generation**
  - Ages 73-90
- **Generation X**
  - Ages 38-53
- **Millennials**
  - Ages 22-37

**Generation Age in 2018**

By Pew Research Center
The Interval of Legal Mayhem
Insight
Judgement / Rationale
Appreciating / Appraising
Evaluating / Reasoning / Weighing-up
Seeking out / initiating / volition
Retaining / Remembering
Communicating
Understanding / Comprehending
Processing
<table>
<thead>
<tr>
<th>Understanding</th>
<th>Knowledge/Insight</th>
<th>Rationality/Believability</th>
<th>Adaptive Capability</th>
<th>Proactivity</th>
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SUPPORT FOR DECISION MAKING
Utilising cognitive & contextual strengths, removing cognitive & contextual barriers

RELATIONSHIPS AND CONTEXT
Facilitatory and adversarial factors

KNOWING THE PERSON
Complexity of the decision
Will and Preference
Cognitive strengths and weaknesses
Beliefs, preferences and values

DECISION MAKER
cognitive impairment

Understanding
Knowledge/Insight
Rationality/Believability
Adaptive Capability
Proactivity
Let’s recap – for clients to reflect on... 1

- **Ask**: what impairs you, your wealth, systems, processes, agreements? What can be optimised?
- **Look** at yourself as others see you, your career, business, family and main concerns
- **Identify** and attend to important risks
Let’s recap – for clients to reflect on… 2

- **Apply** today’s know-how on how to be a good decision maker when working with professionals
- **Take** steps to share values and value if you want a family or its enterprise to endure across generations and geographies
- **Seek** professionals with competency as collaborators who can take the journey with you to clutter free objectives that will resolve pressing needs
Questions

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