

Resources For Dealing With Challenging Clients

Recognizing and dealing with diminished capacity in older clients,

http://www.americanbar.org/news/abanews/aba-news-archives/2013/10/recognizing_and_deal.html

When a client's capacity is in doubt - A Practical Guide for Solicitors,

<http://www.lawsociety.com.au/cs/groups/public/documents/internetcontent/023880.pdf>

What Financial Services Firms Need To Know About The Senior Investor,

<http://www.sec.gov/investor/seniors/michelleoroschakoff.pdf>

I'm OK, You're. . . ? What Layers Should Know About Their Clients' Capacity to Make Decisions, OSB Bulletin, August/September 2011,

<http://www.osbar.org/publications/bulletin/11augsep/imok.html>

Impaired clients, Challenging and unique ethical considerations, OSB Bulletin, May 2004, <http://www.osbar.org/publications/bulletin/04may/barcounsel.html>

Formal Opinion No. 2005-22, Conflicts of Interest, Current Clients: Avoiding Influence by Others, <https://www.osbar.org/docs/ethics/2005-22.pdf>

Formal Opinion No. 2005-41, Competence and Diligence: Client with Diminished Capacity, <http://www.osbar.org/docs/ethics/2005-41.pdf>

Formal Opinion No. 2005-159, Competence and Diligence: Requesting a Guardian ad Litem in a Juvenile Dependency Case, <http://www.osbar.org/docs/ethics/2005-159.pdf>

Minimum Capacity to Consent or act: what's the standard, OSB Elder Law Newsletter, <http://www.osbar.org/newsletters/eld9a4B.pdf>

Capacity Issues in Representing Clients, OSB Estate Planning and Administration Section Newsletter, April 2010,

http://www.osbar.org/newsletters/814/2010/Est_2010Apr.pdf

OSB BarBook, The Ethical Oregon Lawyer, Chapter 18 – Representing Clients with Diminished Capacity and Disability

OSB BarBook, Elder Law, Chapter 2 – Substituted Decision-Making: Responding to Declining Capacity

RPCs 1.4, 1.6, 1.8, 1.14, 5.4, see <http://www.osbar.org/docs/rulesregs/orpc.pdf>

David Brooks article from January 20th, 2014 about how to comfort those who have experienced trauma. http://www.nytimes.com/2014/01/21/opinion/brooks-the-art-of-presence.html?ref=davidbrooks&_r=0

Historical article about the use of lobotomies in the treatment of last resort for the VA in the 1940s-1950s to deal with PTSD. <http://projects.wsj.com/lobotomyfiles/>

VA's website on PTSD <http://www.ptsd.va.gov/public/PTSD-overview/basics/index.asp>

Article that research in epigenetics – the study of gene expression – indicates that some traumatic experiences can also be transmitted to one's children.

http://www.washingtonpost.com/national/health-science/study-finds-that-fear-can-travel-quickly-through-generations-of-mice-dna/2013/12/07/94dc97f2-5e8e-11e3-bc56-c6ca94801fac_story.html