

Cognitive Impairment Worksheet for Lawyer Assistance Programs

Attorney Name: _____ Date of Interview: _____

Place of Interview: _____

Observational Signs & Symptoms:

Behavioral Functioning at Work	Observations
<p>Practice management</p> <ul style="list-style-type: none"> • Deteriorating performance at work • Making mistakes on files / cases • Difficulties functioning without the help of a legal assistant /other lawyers • Committing obvious ethical violations • Failing to remain current re changes in law; over-relying on experience • Exhibiting confusion re timelines, deadlines, conflicts, trust accounting 	
<p>Appearance / dress</p> <ul style="list-style-type: none"> • Inappropriately dressed • Poor grooming/hygiene 	
<p>Interpersonal disinhibition</p> <ul style="list-style-type: none"> • Making sexually inappropriate statements that are historically uncharacteristic for the lawyer • Engaging in uncharacteristically sexually inappropriate behavior • Disinhibition in other nonsexual behaviors 	
<p>Self awareness</p> <ul style="list-style-type: none"> • Denial of any problem • Exhibits/expresses highly defensive beliefs • Feels others out “to get” him/her, organized against him/her 	
<p>Significant changes in characteristic routine at work</p>	

Cognitive Functioning	Observations
<p>Short-term memory problems (reduced ability to manipulate information in ST memory)</p> <ul style="list-style-type: none"> • Forgets conversations, events, details of cases • Repeats questions and requests for information frequently 	
<p>Executive functioning (slower and less accurate in shifting from one thought or action to another)</p> <ul style="list-style-type: none"> • Trouble staying on task / topic • Trouble following through and getting things done in a reasonable time 	
<p>Lack of mental flexibility</p> <ul style="list-style-type: none"> • Difficulty adjusting to changes • Difficulty understanding alternative or competing legal analysis, positions 	
<p>Language related problems</p> <ul style="list-style-type: none"> • Comprehension problems • Problems with verbal expression <ul style="list-style-type: none"> ○ Difficulty finding the correct word to use ○ Circumstantiality (providing a lot of unnecessary details; taking a long time to get to the point) ○ Tangentiality (getting distracted and never getting back to the point) 	
<p>Disorientation</p> <ul style="list-style-type: none"> • Confused about date / time sensitive tasks • Missing deadlines for filing legal documents 	
<p>Attention / concentration (problems with dividing attention, filtering our noise and shifting attention)</p> <ul style="list-style-type: none"> • Lapses in attention • Overly distractible 	

Emotional functioning	Observations
<ul style="list-style-type: none"> • Emotional distress: • Emotional lability (rapidly changing swings in mood and emotional affect): 	

Other Observations/Notes of Functional Behavior**Mitigating/Qualifying Factors Affecting Observations****Stress, Grief, Depression, Recent Events affecting stability of client:****Medical Factors / medical conditions:**

- Sensory functioning (hearing / vision loss)
- Family history of dementia
- Substance abuse / dependence
- Hypertension
- Stroke history
- Thyroid disease
- Chemotherapy
- Sleep apnea
- Prescription medications
- High cholesterol
- _____
- _____

PRELIMINARY CONCLUSIONS ABOUT COGNITIVE FUNCTIONING

<input type="checkbox"/> <u>Intact</u> – No or very minimal evidence of diminished cognitive functioning:
<input type="checkbox"/> <u>Mild problems</u> - Some evidence of diminished cognitive functioning:
<input type="checkbox"/> <u>More than mild problems</u> - Substantial evidence of diminished cognitive functioning:
<input type="checkbox"/> <u>Severe problems</u> – Lawyer lacks cognitive capacity to practice law:

Adapted from the Capacity Worksheet for Lawyers, *Assessment of Older Adults with Diminished Capacity: A Handbook for Lawyers*, by the ABA Commission on Law and Aging and the American Psychological Association (2005).