

Hawai'i Access to Justice Conference
“Continuing to Meet Challenges to Access to Justice”
Friday, June 17, 2022

Workshop Summary¹

“Access to Justice for the Elder Population Affected by Diminishing Capacity”
Friday, June 17, 2022, 2:15 - 3:30 p.m.

Presenters: Scott Suzuki and Gary Powell

During this session, Mr. Suzuki and Mr. Powell highlighted the primary concerns of the caregiving-caregiver dynamic, which they identified as capacity, care, and cost. In dealing with elderly clients, they stressed the importance of hearing, recognizing, and including elderly clients in the decisions impacting their lives. As one in two people over 85 has a neurocognitive condition, everyone is likely to either be a caregiver or be cared for at some point in their lifetimes. The need for caretakers will only increase over time, as the number of Americans over 65 will exceed the number of Americans under 18 by 2034 for the first time in history.

Because the changing care dynamic can be challenging, it is important to engage in supported decision-making, where individuals are empowered to participate to the extent possible in decisions concerning their lives. As the average cost for care continues to rise, it is important to note the limitations of our current systems, such as Social Security Disability and Medicaid and consider other long-term planning and solutions to help make transitions throughout the caregiving process more smooth and dignified. It is absolutely critical that compassion remains front of mind for those providing care and legal assistance to those affected by diminishing capacity.

¹ This summary was prepared by Nicholas Severson, attorney at Legal Aid Society of Hawai'i.