



ACP CRIO

Advance Care Planning Collaborative Research & Innovation Opportunities Network

Medical-Legal Collaboration: Lawyer's Role in Advance Care Planning

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BACKGROUND

- **Advance care planning (ACP)** is a process of reflection on and communication of a person's future healthcare preferences.
- The medical and legal fields coalesce around ACP. Traditionally, lawyers' role in ACP has been limited to completion of a **Personal Directive (PD)**, the written legal document which appoints an agent for health care decision making.

OBJECTIVE

To assess barriers and facilitators to lawyers' involvement in ACP and, in collaboration with the legal community and other ACP stakeholders, catalogue, review and develop ACP resources for lawyers to help them promote and be engaged in ACP conversations.

WHY LAWYERS?

- Canadian multi-site Canadian study (513 patients, 366 family members): Sick, older patients were as likely to have spoken with a lawyer as with a family doctor (30%)
•DK Heyland et al, "Failure to engage hospitalized elderly patients and their families in ACP" (2013) 173 (9) JAMA Internal Medicine 778
 - Saskatchewan study (827 respondents): **47.4% said lawyers** were source of assistance in preparing ACP document; **5% of respondents said physicians**
- D Goodridge et al "Planning for Serious Illness by the General Public: A Population-Based Survey" (2013) ISRN Family Medicine 1<http://dx.doi.org/10.5402/2013/483673>

METHODS

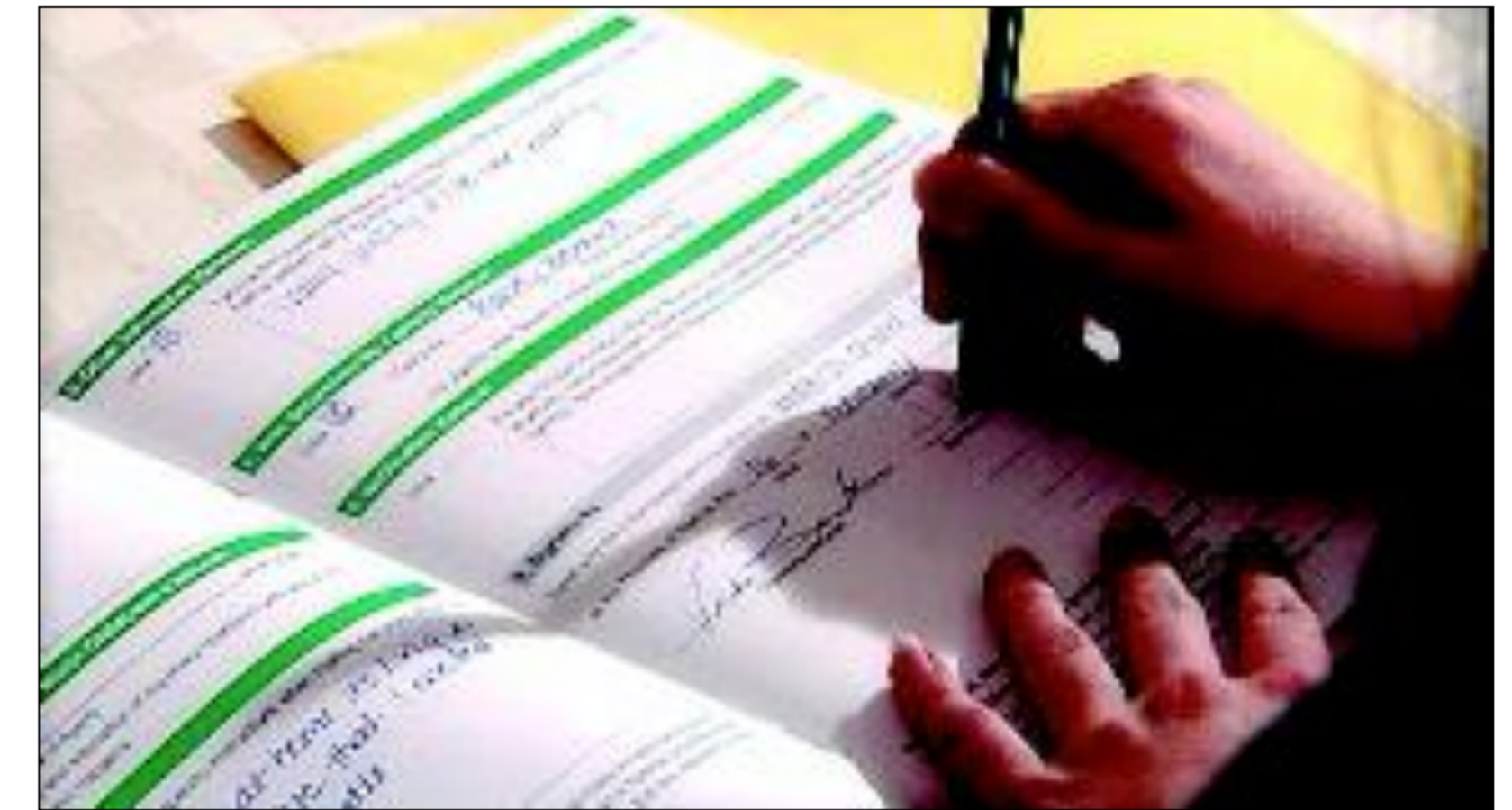
- Engaged Canadian Bar Association (CBA) (Wills, Estates & Trusts, Elder and Health Law Sections), Law Society and Legal Education Society
- Environmental Scan of ACP resources for lawyers
- Two focus groups:
 - Pre-meeting on-line survey of participants
 - Workshops for researchers (6), lawyers (19), clinicians (3), and other stakeholders (8) from the legal and medical communities.
 - Included representatives from CBA, Legal Aid, legal education organizations, academics, government representatives, and patient advisors.
 - Edmonton, Calgary and Red Deer
 - Agenda:
 - lawyers' roles, needs and barriers regarding ACP
- Workshop of stakeholders to develop survey for Alberta lawyers about ACP

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RESULTS

- ACP is embedded in lawyers' advance planning (ie. wills, estate planning) practices
- Gaps in communication resources for:
 - Lawyer/client
 - Client/key others
 - Lawyer/key others
 - Legal profession
 - Public
- Lawyers don't have resources in the form they need:
 - Harmonization
 - Coordination
 - Registries
 - "Cookie-cutter" approach will not meet needs of different clients
 - Improvements needed to Inter-professional Communication
 - Protocols
 - Cost barrier
 - Trust
 - Benefits



NEXT STEPS

- Use Think Aloud Method to evaluate instrument design for survey of lawyers about ACP
- Distribute survey to 8,000 practicing lawyers in Alberta in collaboration with the CBA and Law Society, collect and analyze responses, disseminate
- Continue collaborative activities as indicated by survey which may include:
 - Further continuing education events for medical and legal community
 - Development and/or compiling ACP resources for lawyers existing resources

CONCLUSIONS

•The legal community is well placed to facilitate comprehensive ACP. ACP legal resources and inter-professional collaboration have the potential to enable lawyers to improve the uptake and quality of ACP.

CONTACT

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