

Solicitors for the Elderly: Who are we and is it for you?

It has been four years since the formal establishment of Solicitors for the Elderly, which is now the leading organisation in this area. **Caroline Coats**, a solicitor with Eric Robinson, recently set up a regional group and explains why she took on this role and the benefits she and other members get from being part of such an organisation.

Solicitors for the Elderly is a national group formed to support solicitors who find that their main client base is comprised of older people. Many are in wills and probate departments and, in smaller firms, comprise the whole department on their own. They often feel isolated, as the nature of the work does not lead to much interaction with counterparts in other firms on a regular basis.

Despite the name, full membership is awarded to solicitors, barristers and legal executives who have established that they have sufficient relevant experience. Others, who do not have such experience, may be awarded associate membership with the aim of becoming a full member in due course.

I first heard of Solicitors for the Elderly at a seminar in June 1998. Shortly afterwards, I wrote to Danny Carter, treasurer from the outset, for more information. That information was some time in coming as the association was in its infancy and the founders were working hard to get everything up and running.

Then everything seemed to happen all at once. As many will know, there have now been four successful national conferences. Each has revolved around a main theme concerning elderly clients and provided specialised knowledge and information for the membership. The conferences have encouraged new members and helped to give us a voice in the decision-making process.

Many of the founder members, and others within the membership, are regularly to be found on the lecture circuit. Others are in print, either as authors of their own specialist texts or as regular contributors to publications such as *Elderly Client Adviser*. By this route many of them are now familiar to us as specialists that we know and may turn to for help and assistance. The Lord Chancellors Department and government ministers also regularly consult Solicitors for the Elderly on relevant issues. At the time of writing, some are active

CONSTITUTION OF SOLICITORS FOR THE ELDERLY (EXTRACT)

2 Objectives

2.1 The objects of the association are:

- 2.1.1 The development of expertise in areas of public and private law relevant to older people, their families' and carers' needs and concerns, where there is at present a skill shortage. These include: consent, capacity and substituted decision making; financial planning, including retirement and long-term care, housing, community care issues, and dealing with abuse;
- 2.1.2 To continue to exercise the expertise that members of this association have in the more traditional legal services that older people require, e.g., wills, probate and trusts, Court of Protection, enduring powers of attorney, property matters, litigation;
- 2.1.3 To promote best practice by means of high quality training, and the dissemination of information and know-how, to encourage bench marking; through the provision of seminars, conferences and meetings for the discussion of legal issues affecting the elderly client, their family and carers;
- 2.1.4 To facilitate networking of its members and the building of constructive relationships with statutory voluntary agencies, charities, housing and social care providers, the financial services sector and other interested organisations or individuals;
- 2.1.5 To do all such things as shall be conducive to the attainment of the above objectives.

Name: Caroline Coats

Company: Eric Robinson

Position: Solicitor

in trying to sort out the problems so very much in evidence at the Public Guardianship Office.

Denzil Lush, Master of the Court of Protection and Gordon Ashton, Deputy Master of the Court of Protection, have become our patrons reflecting the significant regard in which the association is now held.

Regional groups

In order to provide more support for members, it was decided to develop regional groups. This would enable support to be targeted to those places where members were geographically located. It would also give members some control over how they benefit from the association and allow them to accommodate any regional variations. An obvious example is working with your own local authority.

A start-up grant of £100 is available together with a start-up pack. The first regional group was in Yorkshire and there are now seventeen spread around the country. There are many variations in the way in which these groups operate. Among them are small luncheon discussion groups, regular meetings with specialist speakers, workshops and conferences.

The regional coordinators are able to access their counterparts in other areas for help and assistance. The national group also organise meetings to facilitate discussion and the exchange of ideas between us.

Southern central regional group

At the second national conference, I picked up a regional group starter pack. As it happened, I did not actually get round to doing anything (mainly because I was concentrating on qualifying for STEP). The following year I again collected a pack, and found myself next to Richard Peel who had also collected one. We agreed there and then to cooperate in setting up a regional group for our area.

We subsequently met and over lunch discussed the area we would like our group to cover. Initially this was to be Hampshire, Dorset, Wiltshire, West Sussex and the Isle of Wight. This plan subsequently proved to be too ambitious. In the event, we decided not to cover West Sussex, although we have since entertained solicitors from the county at our meetings and encouraged them to set up their own group. With two of us to share the workload and support each other, it never occurred to us to aim for anything smaller.

Logistics

The first step we took was to write to every firm in our chosen area to ascertain the level of interest. This meant that initially around 500 letters were sent – all personally signed by us both. In response, we received around 130 positive replies.

We used the solicitors and barristers directory for details of firms in our chosen area. I admit this was

quite a slog. Alternatives would be to ask your local Law Society to assist with your initial mailshot. You may also consider approaching your local STEP group but remember, that their membership is not confined to solicitors.

Encouraged by the response, we consulted a map of our chosen area and located a place that was more or less central and as accessible as possible. A date was chosen, an hotel conference facility booked, and a second round of letters sent – again all personally signed. Then we waited...

The first meeting

Anne Edis, national chair, agreed to be our first speaker. This proved to be a great attraction. Anne first told the assembly about the origins and history of the association, including its current consultative status. The main topic of her lecture was capacity, a topic very much in the forefront of our minds as practitioners.

Attendance at that first meeting was around 50. Towards the end of the evening, a request was made for volunteers to join us in forming a committee. We were very fortunate in that ten people came forward. They were warmly welcomed and I am sure that Richard and I would have struggled to manage such a large group without their assistance.

The committee

Our next step was to hold a committee meeting. Every volunteer committee member attended and it was almost our first request to ask them to volunteer again. In this way, we filled the posts of secretary, treasurer, and speaker secretary. Richard and I are joint chair – a format that is to be followed at national level by Julia Abrey and Caroline Bielanska when Anne Edis retires this year.

The committee members are drawn from all over the area. The decision was therefore taken that future meetings would be held immediately before the evening meetings arranged for our members. Our firms support us all, to a greater or lesser extent, and in this way, time out of the office would be minimised. This works very well. We are also all in contact by e-mail and use it to deal with matters arising between meetings.

Subsequent meetings

Due to the size of the area we cover, it was decided that the meetings would be distributed around the area. So our inaugural meeting was in Dorset, the second was in

Hampshire and the third in Wiltshire. Attendance averages around 50 each time and the numbers supporting us overall are around double this number.

Assuming these numbers continue, and hopefully grow, it is likely that at some point parts of our area will break away and form groups of their own.

Not all of our supporters have yet joined Solicitors of the Elderly although we obviously encourage them to do so. Now that we have done one circuit of the area, we are introducing a price differential in favour of members. Hopefully, this will encourage more to join, now that they have had opportunity to sample what we have to offer. It also puts into practice the philosophy that we exist for the benefit of our members.

Benefits of membership

I have already mentioned some of the aims of the group and some of the benefits of membership. For myself, I would say that I have found one of the biggest benefits is public recognition and identification of my expertise. This has enabled me to increase my client base to the point where more than 50 per cent ask for me by name.

Other professions are also able to identify me and readily refer their clients, confident in my ability to deal with the correct legal issue. If you are confident enough then such contacts may also lead to further promotional opportunities, for instance, speaking at seminars to their clients.

Solicitors for the Elderly have many contacts with relevant charitable organisations. These charities are anxious to know where they may find specialist legal help and contacting them at a local level brings similar opportunities.

Having attended all of the national conferences, I have benefited from networking with other specialist practitioners. None of us are able to cover all of the various elements of the law encountered in assisting our clients, but by getting to know others we may confidently ask for assistance when coming up against something unfamiliar. This support system is invaluable.

The specialist speakers at the national conferences have provided much-needed guidance so that areas that were once unfamiliar become less so. This is one of the main objectives of our regional group, so that similar specialist guidance is provided much closer to home. This specialist education contributes towards those much needed annual CPD points and is provided at a reasonable cost to provide good value overall. Another benefit with some speakers, is meeting those

you may need to contact or negotiate with in handling your cases – sometimes hearing a different point of view.

The regional group offers the opportunity to socialise with other practitioners in the locality that you would not often communicate with. I find that this promotes discussion on difficult cases and a forum for mutual assistance. With an ageing population, there is more than enough work to go around. Assisting others will not therefore be detrimental, and in fact, referrals are often received to provide that “independent legal advice” we all advocate so often. I certainly refer within the organisation and I am sure that other members do too, not only regionally but also on a national level.

There is also available a leaflet explaining what a “Solicitor for the Elderly” is. It includes a space for you to add your contact details and, therefore, it is a useful promotional aid. I have used it successfully in many different circumstances – although it could be said I am a little biased on this one as I did have a small hand in designing it together with Caroline Bielanska.

Website

If you have not already accessed this site then I urge you to do so at www.solicitorsfortheelderly.com. The site has been going for some time now with part catering to the public and part being for members only.

As a member, you are entitled to be listed on the website and your details are then available to the public. Some will contact you direct others make contact through the national administrator, Donna Brookes.

In the members area, there is a section where you may ask questions on difficult cases or comment generally. Information on regional meetings and conferences is available, and changes to the law either by statute or case law are reported.

Contact details for the regional coordinators are listed. Any one of them, the national committee and Donna Brookes, would be happy to talk to you if you have any doubts about whether membership would be of benefit to you. First year membership costs £50 with subsequent membership being £85. Believe me it is more than worth it. Go on – you know it makes sense.

Caroline Coats is a solicitor at Eric Robinson Solicitors and joint chair of the southern central regional group of Solicitors for the Elderly. She can be contacted at:

caroline.coats@ericrobinson.co.uk
