

Website Updates & Improvements!

Our website now makes it even easier to learn about, make & register your Representation Agreement.

BC's legislative framework for personal planning is complex—but Nidus helps you focus on what you need to know.

At first glance our home page does not look very different but we have now organized the information into three categories. From these categories, you can select your situation and find the Representation Agreement form that fits.

- **Helping a Relative with a Disability** – For adults with a developmental disability, FASD, brain injury due to a car or sports accident or other condition that has affected their mental capability. Make an RA7.
- **I'm Planning for the Future** – For adults capable of making their own health and personal care decisions now and who want to plan in case they become incapable in the future. Make an RA9 for health and personal care AND an RA7 or EPA for financial and legal affairs.
- **Caring for an Older Adult** – For older adults who need help due to dementia, serious stroke or other condition that affects their mental capability. Make an RA7.

Helping a Relative with a Disability	I'm Planning for the Future	Caring for an Older Adult
		
My mom is my legal representative	I'm not waiting for a crisis	It's about dignity and respect
In British Columbia, personal planning is for all adults, based on their need for support not their competence. This is important for my son, who does not speak. As his legal rep	Through personal planning you can make your own legally enforceable arrangements with those you trust. This prevents the government or others you would not want from becoming involved in your personal	Personal planning gives us peace of mind. As a caregiver, my main concern is to ensure quality-of-life to the end-of-life at home or in a facility. And if something happens to me, I

A legal professional is not required to make a Representation Agreement. The Nidus website has resources and forms for self-help. However, many people like to check that they are on the right track, so if you would like personal help, you can book an appointment with Nidus staff.

Appointments are not only for those making their documents; Nidus can also provide tips for those who need to use the Agreement with financial institutions, in health care situations and to access government services.

To book an appointment, see the [BOOK NOW](#) icon in the right sidebar at the home page.

Our website navigation was improved with a financial contribution from Vancity Credit Union. Thank you!



STAY CONNECTED



LEARN MORE—HELP YOURSELF & OTHERS

Nidus offers free presentations both online and in-person. Learn about Representation Agreements, Enduring Powers of Attorney and more. There will be Q&A at the end. Go to [Self-Help > Presentations & Training](#) to see our listings.

ONLINE WEBINARS

Two alternating topics are held monthly for seniors. Listen on your own computer or with your family or colleagues.

[Personal Planning and BC's Legal Tools](#)
Wed, May 14 , 11:30am–12:30pm

[Representation Agreements in More Detail](#)
Wed, May 28, 11:30am–12:30pm

IN-PERSON PRESENTATIONS

These presentations discuss BC's Legal Tools for Personal Planning, featuring Representation Agreements.

Wed, Jul 16,
11:30pm Lunch,
followed by presentation

[Confederation Seniors Centre](#) – Burnaby

Part of the "Lunch & Learn" series.
Registration required 3 days in advance.

Register by phone or in person |
604.294.1936

\$7 fee includes lunch

Thank you to the [United Way of the Lower Mainland](#) for funding Nidus to offer these presentations.



Nidus Personal Planning Registry is going Online!



The Nidus Personal Planning Registry™— the service that connects YOUR information to the right people at the right time—is going online soon. This will mean 24/7 accessibility as well as a number of other new features. Stay tuned for a special newsletter edition announcing all Registry changes!

For details www.nidus.ca/registry

PLAN AHEAD!

Personal Planning Month *September 2014*

Nidus will be hosting a number of special events in September for Personal Planning Month!

In partnership with Courthouse Libraries, Nidus will provide province-wide webinars and live presentations for seniors in Vancouver.

Keep your eye out for special offers on registration as part of Personal Planning month. More details to follow in our next newsletter.

Let your family, friends and professional contacts know so they can get involved!



Resource for Transition Planning & Aging Strategy!

Representation Agreements are among the topics addressed in the transition from youth to adulthood. At the same time, aging parents are looking to Representation Agreements as a way to ensure continuity of support for their son or daughter when the parents are no longer available.

Service providers, schools and other agencies can print and distribute this handout to help individuals and their supporters learn about Representation Agreements and the ways in which Nidus can help.

Representation Agreements
Self-Determination for All Adults

Nidus
Personal Planning
Resource Centre
and Registry

What is a Representation Agreement?

- A Representation Agreement is a legal document that an adult (19 years or older) may make to appoint someone to assist them with decision making.
- The test of incapability to make a Representation Agreement Section 7 (RA7) is different from other laws such as Power of Attorney. An adult is capable of making an RA7 even if they cannot manage their own finances or make health care decisions. There is no specific criteria for making an RA7.
- As with any legal document, learning what it means and how to use it is necessary for ensuring an effective Agreement. See the other side of this page for information on when to get help.

Why should adults make one?

- All adults have a right to self-determination and to support if they need assistance with decision making.
- No one has the automatic right to sign or act on behalf of an adult—not a spouse, parent, other family member or service provider. An RA7 is a way an adult may give someone legal authority.
- An RA7 covers four life areas so adults have access to help as needed:
 - Health – consent to health care including medications, surgery, tests, dental care.
 - Personal Care – being arraigned, diet, exercise, taking part in activities, personal safety.
 - Legal – settling insurance claims, getting legal help, hiring a lawyer, representation to court.
 - Financial – doing banking, dealing with Canada Revenue, managing settlement funds, any investments, RRSP.
- Before the RA7, adults who needed assistance with decision making were especially vulnerable to losing their rights and becoming a non-person under guardianship (also called Conservatorship).
- A Representative is not like a guardian. They do not take over management of the adult's life; they assist the adult to direct their own life.

How will it help?

- When a youth turns 19, parental rights end and the child-parent relationship is re-defined. Making an RA7 helps with this transition.
- An RA7 provides continuity of support for older adults with disabilities and gives peace-of-mind to their aging parents as they plan for a time of the parent's incapability or death.
- An RA7 strengthens an existing network. An RA7 is also a way to help create a personal support network where none may exist.

nidus.ca

NIDUS LEGAL PRACTICE GROUP

Nidus is pleased to announce the formation of a legal practice group which will assist Nidus to ensure the public has the best information and analysis of legal issues that affect personal planning.

This legal practice group is anchored by lawyers [Hugh McLellan](#), in Vancouver, and [Geoffrey White](#), in Kelowna. Both lawyers are experienced in Elder Law and working with the disability community.

British Columbia is a leader in the legislation and practice of personal planning and in the collaboration among the community, professionals and institutions.

NIDUS STUDENT INTERNSHIP

Welcome Megan Rusciano



Megan is a law student from the University of Ottawa and American University Washington College of Law in Washington DC. She is part of the International Dual Degree Program, which allows her to study and eventually practice law in both the US and Canada. She received her BA from McGill University in Political Science and Religion.

Megan developed an interest in disability rights at university when she worked with a local hospital trying to assist local clergy in better understanding mental health issues. She has interned in the Public Policy Department at The Arc of the United States and in the Office of the Assistant Attorney General for the Civil Rights Division at the Department of Justice in the United States. In her spare time she enjoys distance running, reading non-legal books, and trying to discern why her eggplant parmesan doesn't taste quite as good as her grandmother's version. She is incredibly excited to spend her summer at Nidus!

URGENT NOTE

To Service Providers and others assisting adults and families with Representation Agreements.

We are finding that individuals and families are receiving incomplete and inaccurate information when making Representation Agreements, which often leads to invalid documents. The problem is not the law, it is a lack of knowledge.

There has been no systematic education on the practice of Representation Agreements in any sector— not for lawyers, financial institutions, health care providers, service providers or government agencies.

Some examples of misinformation:

- An individual CANNOT sign their Representation Agreement until they are 19 years or older. It has come to our attention that some MCFD and CLBC staff are telling families that an Agreement must be in place before the individual turns 19 years of age.
- A representative CANNOT sign the Representation Agreement for the adult as some service providers have suggested. The Representation Agreement belongs to the adult and it is important they voluntarily sign it (make a mark). Nidus has information about and ideas for signing if the adult needs help.
- If you are using one of the Nidus Basic RA7 forms from our website and it includes space for naming a monitor, then a monitor is REQUIRED for the Agreement to be valid. Some service providers are telling families that it does not matter if they leave the space blank.

We have noticed some of these problems when a copy of the Agreement is sent for registration. However, reviewing documents is not part of the Registry service and soon people will be registering their documents online and Nidus will not see the hard copies.

The tragedy is that many representatives will not find out about these problems until they need to use the Agreement—probably during an urgent situation. Sadly, it is the adult that the Agreement is meant to help who will suffer.

Nidus believes adults with developmental disabilities, seniors and their families deserve the best information possible about the process of completing a valid and effective Representation Agreement.

Nidus is working on a proposal for collaboration between community, government and private organizations, with the intent of creating long-term support for BC residents using the Representation Agreement as a tool to protect their self-determination.

TRAINING FOR PEER SENIORS

Would you like to learn how you can help seniors plan for the future in case they become incapable?

Recent media reports about encounters at Victoria General Hospital have highlighted the vulnerability of seniors when interacting with the health system. Representation Agreements are designed to protect seniors' rights and their wishes.

If you are a volunteer or staff person who works with seniors, we invite you to increase your knowledge and skills for helping others to engage in personal planning.

Learn about:

- BC's legal documents for personal planning – Representation Agreements, Enduring Powers of Attorney, and Advance Directives.
- The role of the living will, the advance care plan, and other tools for discussing wishes and values.
- Details about capability requirements for different documents, the roles of those appointed, and when a legal professional is required.
- How to use the Personal Planning Registry.

Where: The training will be held in Vancouver. Exact location TBA

When: 2 sessions in late September. Exact dates TBA

Cost: Thanks to our current grant from the United Way of the Lower Mainland, Nidus will be offering this training for seniors volunteers and staff free of charge.

Email info@nidus.ca for more information.

YOUR DONATION NEEDED FOR PRESENTATIONS

Can you help? Nidus is looking for a donation of a digital projector. The projector will be used at presentations to seniors and other community groups, for demonstrations of the Nidus Registry, and for meetings. Ideally we are looking for two projectors—a portable one we can transport to outside events (often by transit) and a regular one for use at our office location. If you are upgrading your equipment or would like to make a charitable donation, please let us know!

info@nidus.ca



Nidus Around the Province

Nidus works with many groups to increase awareness and education about the importance of Personal Planning and Representation Agreements.

WEST KOOTENAYS

Christie and Yvonne are long-time volunteers with the Nelson & Area Elder Abuse Prevention Program. Each spring, they offer presentations to seniors in nearby communities including Kaslo, Riondel, Balfour, Harrop-Proctor, Salmo and Passmore. This year they are using the video on Representation Agreements and Nidus, produced by CTV for the United Way of the Lower Mainland. They report that this video is very well received by these communities. The video is the perfect length and the humanity aspect makes a great impact.

www.nelsonelderabuse.org



PRINCE GEORGE

Dawn Hemingway, Associate Professor & Chair for the School of Social Work at the University of Northern BC, is Nidus' contact in the North. In April, Dawn did a workshop for 110 retired teachers in Prince George.

"Just a note to let you know that your talk was very well received. I had a little knowledge of Representation Agreements before you spoke and I certainly learned much new information. Enough that I will be going to... re-read mine." ~ Group member

THANK YOU TO OUR PROJECT FUNDERS FOR THE CURRENT YEAR



BECOME A MEMBER OF NIDUS

If you are interested in being more involved with Nidus, why not become a member? Annual membership is \$10.

Benefits of being a Nidus Member:

- Subscription to our online newsletter.
- News and updates about Representation Agreements and developing resources.
- Invitations to Nidus events and our Annual General Meeting – with voting privileges.
- Announcements about our major activities in the community.

Best of all, becoming a member lets you support the only community-based organization in Canada devoted to personal planning and alternatives to adult guardianship.

[Join now and get connected!](#)

HAVE QUESTIONS? NEED EXTRA HELP?

Make an appointment!
Nidus offers in-person and over-the-phone appointments. Discuss your situation with Nidus staff and get answers to your questions.



REPRESENTATION AGREEMENTS & COMMUNITY LIVING BC

Community Living BC contracted with Nidus last year to provide information on Representation Agreements.



Our 2013–2014 deliverables included:

- Online training in the Upper Fraser region to enable trainees to help individuals and families to make and register Representation Agreements.
- Free online webinars for the public— Helping a Relative with a Disability.
- Education module for CLBC staff.
- Handout on Representation Agreements for families.

Nidus Personal Planning Resource Centre and Registry

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Nidus is a non-profit, charitable organization offering expertise on Representation Agreements.

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