

Federal Judicial Center
Dementia and Law: Introduction
Audio File: Dementia_John Cooke_Introduction_
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John Cooke: Hello. I'm John Cooke, Director of the Federal Judicial Center. According to the Centers for Disease Control and Prevention, more than 7 million people in the United States are living with some form of dementia. As people live longer and the average age in the population increases, that figure is projected to double in the next several decades.

Courts can expect to see more cases involving people with dementia in the coming years. Judges will be faced with questions about competency, culpability, and, quite simply, communicating with people with dementia.

Dementia is not a single thing. It stems from a variety of diseases and causes. It's not an all-or-nothing thing. It can affect, in varying degrees, cognition, memory, and the ability to perform daily activities. Dementia is often progressive and treatments are limited at best.

Dementia has physical, psychological, cognitive, social, legal, and economic impacts not only for individuals living with dementia, but also for their families, workplaces, the courts, and society. Dementia does not align neatly with some familiar legal standards and principles, such as competency to stand

trial, mens rea, or the ability to make legally binding decisions.

In some, interactions with defendants, parties, and others, who may show signs of dementia, present issues and challenges for which there are often not clear answers. This Federal Judicial Center series seeks to help judges think about how cases with persons with dementia might affect the judiciary and issues before the court. The series provides legal perspectives, medical and clinical knowledge, and a look at how one state court is addressing dementia and issues related to cognitive aging.

I hope you'll find these presentations beneficial to your work.

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