



# What's Next After Financial Exploitation?

Presented by:

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**CZEPIGA DALY POPE & PERRI**

Estate Planning | Elder Law | Special Needs | Litigation | Probate

# Biography – Attorney Carmine Perri

## **Carmine Perri**

*Principal*

Czepiga Daly Pope & Perri

Attorney Perri specializes in elder law and is recognized for protecting an individual's rights. He has represented clients in cases of Medicaid, nursing facility collections, will contests, conservatorships, and other contested probate matters.

He has argued cases before the Connecticut Supreme Court, the Connecticut Appellate Court, and throughout the State at the trial court and probate court levels; cases he has argued include the following two cases that have an impact on the fields of elder law and probate law:



- [\*Paul Valliere et al. v. Commissioner of Social Services, SC 19701\*](#)- In a decision released February 1, 2018, the Connecticut Supreme Court found in favor of the plaintiffs, represented by Carmine Perri, who had challenged the Commissioner of Social Services over a determination from the DSS regarding whether or not a preexisting spousal support order rendered by the Probate Court was binding on DSS. As a result of the decision, for married couples who intend to apply for Medicaid benefits, it is now possible for the healthy spouse to keep as much income as is needed to remain safely in the community, even if means keeping more than the State's \$3,000/month cap or even keeping all of the institutionalized spouse's income.
- Before the Connecticut Supreme Court, Carmine successfully defended a client against a proposed collection tactic by a nursing facility (*Wilton Meadows Limited Partnership vs. Sally Coratolo*). The client's husband was a resident of the facility and was unable to pay for the first months of his stay. About 6 months after his death, the facility sued Sally Coratolo, claiming that she was liable for her husband's debt. Carmine argued before the Supreme Court on Sally's behalf and won. This case is an important one because it shows that nursing facilities are looking for alternative grounds for recovery beyond the admission agreement and it underscores the Court's intention to prevent the admission agreement from requiring third party guarantors of payment.

In addition, Attorney Perri is an active member of the Probate Court Rules Advisory Committee, Sub-Committee II, and as part of this committee played a role in writing the latest Connecticut Probate Court Rules of Procedure (updated through 2017). He has also contributed to numerous professional publications.

# Notable Quote

*“Wealth begins with . . . articles of necessity. And here we must recite the iron law which nature thunders in these northern climates. First, she requires that each man should feed himself. If happily his fathers have left him no inheritance, he must go to work, and by making his wants less or his gains more, he must draw himself out of that state of pain and insult in which she forces the beggar to lie. She gives him no rest until this is done; she starves, taunts and torments him, takes away warmth, laughter, sleep, friends and daylight, until he has fought his way to his own loaf. Then less peremptorily but still with sting enough, she urges him to the acquisition of such things as belong him.”*

**-Ralph Waldo Emerson**  
**Conduct of Life, Essay on Wealth, 1860**



# Examples of Financial Exploitation

## Misappropriation of income or assets

- Checking account (pay specific attention to joint accounts (C.G.S. §36a-290));
- Savings account;
- ATM card;
- Credit card;
- Social security checks; and/or
- Pension payments.



# Examples of Financial Exploitation

## Charging excessive fees for goods or services

- Transportation;
- Food;
- Medicine; and/or
- Home repair (“the woodchuck”).



# What's Next After Exploitation?

## **C.G.S. §17b-462- Cause of Action by Elderly Victim.**

- (a) An elderly person who has been the victim of abuse, neglect, exploitation or abandonment, as such terms are defined in section 17b-450, may have a cause of action against any perpetrator and may recover actual and punitive damages for such abuse, neglect, exploitation or abandonment together with costs and a reasonable attorney's fee. The action may be brought by the elderly person, or the elderly person's guardian or conservator, by a person or organization acting on behalf of the elderly person with the consent of such elderly person or the elderly person's guardian or conservator, or by the personal representative of the estate of a deceased elderly victim.
- (b) In any action to recover damages based upon a claim of exploitation, as defined in section 17b-450, the Superior Court shall have jurisdiction to render an order pursuant to chapter 904 prohibiting the defendant from transferring, depleting or otherwise alienating or diminishing any funds, assets or property.
- (c) Notwithstanding the preceding provisions of this section, no cause of action for neglect or abandonment may be brought against any person who has no contractual obligation to provide care to an elderly person unless such neglect was willful or criminal.



# What's Next After Exploitation?

## **C.G.S. §17b-450. Definitions.**

- For purposes of sections 17b-450 to 17b-461, inclusive:
- (1) The term “elderly person” means any resident of Connecticut who is sixty years of age or older.
- (2) An elderly person shall be deemed to be “in need of protective services” if such person is unable to perform or obtain services which are necessary to maintain physical and mental health.
- (3) The term “services which are necessary to maintain physical and mental health” includes, but is not limited to: (A) The provision of medical care for physical and mental health needs, (B) the relocation of an elderly person to a facility or institution able to offer such care, (C) assistance in personal hygiene, food, clothing, adequately heated and ventilated shelter, (D) protection from health and safety hazards, (E) protection from abuse, neglect, exploitation or abandonment, and (F) transportation necessary to secure any of the above stated needs, except that this term shall not include taking such person into custody without consent except as provided in sections 17b-450 to 17b-461, inclusive.
- (4) The term “protective services” means services provided by the state or other governmental or private organizations or individuals which are necessary to prevent abuse, neglect, exploitation or abandonment.





# What's Next After Exploitation?

## **C.G.S. §17b-450. Definitions, continued.**

- (5) The term “abuse” includes, but is not limited to, the willful infliction of physical pain, injury or mental anguish, or the willful deprivation by a caregiver of services which are necessary to maintain physical and mental health.
- (6) The term “neglect” refers to the failure or inability of an elderly person to provide for himself or herself the services which are necessary to maintain physical and mental health or the failure to provide or arrange for provision of such necessary services by a caregiver.
- (7) The term “exploitation” refers to the act or process of taking advantage of an elderly person by another person or caregiver whether for monetary, personal or other benefit, gain or profit.
- (8) The term “abandonment” refers to the desertion or willful forsaking of an elderly person by a caregiver or the foregoing of duties or the withdrawal or neglect of duties and obligations owed an elderly person by a caregiver or other person.
- (9) The term “caregiver” means a person who has the responsibility for the care of an elderly person as a result of family relationship or who has assumed the responsibility for the care of the elderly person voluntarily, by contract or by order of a court of competent jurisdiction.





# What's Next After Exploitation?

## **Other Laws within Chapter 319dd- Protective Services for the Elderly (C.G.S. §17b-450 through C.G.S. §17b-489)**

- C.G.S. §17b-451- Report of suspected abuse, neglect, exploitation or abandonment or need for protective services. Penalty for failure to report.
- C.G.S. §17b-453- Initiation of protective services. Injunction against interference by caregiver.
- C.G.S.17b-460- Referral for criminal investigation or proceedings.

# What's Next After Exploitation?

If, as a result of any investigation initiated under the provisions of sections 17b-450 to 17b-461, inclusive, a determination is made that a caregiver or other person has abused, neglected, exploited or abandoned an elderly person, such information shall be referred in writing to the Chief State's Attorney or the Chief State's Attorney's designee who shall conduct such further investigation, if any, as deemed necessary and shall determine whether criminal proceedings should be initiated against such caregiver or other person, in accordance with applicable state law.



# What's Next After Exploitation?

## Other Causes of Action.

- Breach of Fiduciary Duty
- Conversion
- Unjust Enrichment
- Statutory Theft (C.G.S. §52-564)



# What You Should Know About Financial Exploitation

## Elder financial abuse appears to fall into 3 types of crimes:

1. **Opportunity** – occurs because the victim is merely in the way of what the perpetrator wants.
2. **Desperation** – occurs when family members or friends become so desperate for money that will do whatever it takes to get it. Many of these people are dependent on the elder relative for housing and money.
3. **Predation** – occurs when a relationship is built with the specific intention to financially exploit the victim later.



# What You Should Know About Financial Exploitation

## MetLife Statistics

- 76% of victims are between ages 70 & 89, living alone, but needing some assistance
- Women fall prey to exploitation twice as often as men
- 60% of perpetrators were adult children
- 35% were other relatives, including grandchildren, friends, neighbors, and caregivers
- It's estimated that 80% of all cases go unreported
- The goals of the perpetrators were achieved through deceit, threats, and emotional manipulation of the elder
- Incidences increase during the holidays



# What You Should Know About Financial Exploitation

## What financial exploitation can look like:

- Unusual activity in bank accounts
- Caregiver accompanying victim to bank to withdraw money
- Signature on check that does not resemble that of victim
- Newly drafted powers of attorney or changes or creation of a will or trust that is not similar to previous documents
- Unpaid bills, when someone should be paying them
- Unusual concern by caregiver that excessive money being expended for care
- Missing personal belongings
- Deliberate isolation by family member or caregiver
- Systematic attempts to sequester victim from rest of world
- “Can’t come to phone . . . (person is sick and can’t have visitors)”
- Caregiver demonstrating excessive control
- Strangers with increased involvement
- Consumer fraud



# What You Should Know About Financial Exploitation

## Connecticut Helplines and Hotlines

**1-888-385-4225** (For suspected elder mistreatment in the home, in -state line)

**1-800-203-1234** (For suspected elder mistreatment in the home, out of state line).

**211** (For Suspected elder mistreatment in the home, in state, after hours)

**1-866-388-1888** (For suspected elder mistreatment in long-term care facilities, in state line)

**1-860-424-5200** (For suspected elder mistreatment in long-term care facilities, out of state line)





# Undue Influence

## Examples of Undue Influence

- Revisions to powers of attorney;
- Misuse of the power of attorney (gifts);
- Revisions to Estate Plan; and/or
- Signing over of investments or real estate.



# Undue Influence

## **In Connecticut, the Pickman v. Pickman, 6 Conn. App. 271 (1986), factors:**

Undue influence is the exercise of sufficient control over a person, whose acts are brought into question, in an attempt to destroy his free agency and constrain him to do something other than he would do under normal control. It is stated generally that there are four elements of undue influence: (1) a person who is subject to influence; (2) an opportunity to exert undue influence; (3) a disposition to exert undue influence; and (4) a result indicating undue influence. Relevant factors include age and physical and mental condition of the one alleged to have been influenced, whether he had independent or disinterested advice in the transaction consideration or lack or inadequacy thereof for any contract made, necessities and distress of the person alleged to have been influenced, his predisposition to make the transfer in question, the extent of the transfer in relation to his whole worth failure to provide for all of his children in case of a transfer to one of them, active solicitations and persuasions by the other party, and the relationship of the parties.



# Undue Influence

## CUIST (California Undue Influence Screening Tool):

Client's Vulnerability	
<input type="checkbox"/>	Poor or declining health or physical disability
<input type="checkbox"/>	Depends on others for help or care
<input type="checkbox"/>	Problems with hearing, vision, or speaking
<input type="checkbox"/>	Problems with memory
<input type="checkbox"/>	Problems communicating and understanding
<input type="checkbox"/>	Does not understand consequences of decisions
<input type="checkbox"/>	Developmental disability
<input type="checkbox"/>	Dependent or passive behavior
<input type="checkbox"/>	Emotional distress (e.g., grief, anxiety, fear, depression)
<input type="checkbox"/>	Language/literacy barriers
<input type="checkbox"/>	Isolated from others
<input type="checkbox"/>	Lives in chaotic or dysfunctional environment
<input type="checkbox"/>	Influencer knew or should have known of person's vulnerability
<input type="checkbox"/>	Other (please specify) _____
<input type="checkbox"/>	No apparent vulnerability

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# Undue Influence

## CUIST (California Undue Influence Screening Tool):

Influencer Authority/Position of Power	
<input type="checkbox"/>	Stands in a position of trust, authority, or confidence resulting from: <ul style="list-style-type: none"><li><input type="checkbox"/> Intimate/family relationship</li><li><input type="checkbox"/> Caregiver</li><li><input type="checkbox"/> Professional standing (e.g., legal professional, spiritual adviser, health care professional, real estate agent, banker, accountant)</li><li><input type="checkbox"/> Legal authority (e.g., power of attorney, conservatorship, trust, representative payee)</li><li><input type="checkbox"/> Controls elder's finances</li><li><input type="checkbox"/> Immigration sponsor</li><li><input type="checkbox"/> Landlord or long term care facility operator</li><li><input type="checkbox"/> Predatory salesperson (e.g., telemarketer, annuity company, lottery)</li></ul>
<input type="checkbox"/>	Has access to client's home/possessions, finances, documents, or private information (e.g., legal/immigration status, sexual orientation/identity)
<input type="checkbox"/>	Other (please specify) _____
<input type="checkbox"/>	No apparent authority, power, or access to assets and information

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# Undue Influence

## CUIST (California Undue Influence Screening Tool):

### Actions or Tactics

- Manipulates or controls the client's access to food, sleep, medication or personal care
- Makes promises to help the client get rich
- Makes false claims or promises, or misrepresents self (e.g. claims to be an expert)
- Professionals or paid caregivers involve clients in their personal lives or ask for gifts/loans
- Controls access to information
- Isolates from visitors, telephone/computer, or mail
- Instills distrust and fear (e.g., nursing home placement, abandonment, threats of violence, "poisons relationships")
- Moves into client's residence or changes their residence
- Changes clients's usual providers (e.g. physicians, lawyers, bankers, accountants)
- Makes frequent/repeated requests that benefit the influencer
- Pressures during periods of distress, illness, transition
- Uses affection, sex, intimidation or coercion
- Rushes client to make decisions secretly and at inappropriate times and places
- Solicits or encourages gifts, loans, bequests, or cash
- Other (Please specify) \_\_\_\_\_
- No apparent use of actions or tactics described above

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# Undue Influence

## CUIST (California Undue Influence Screening Tool):

### Unfair or Improper Outcome(s)

- Economic losses (e.g. money, property, investments)
- Changes in prior intent, conduct, or practices (e.g., new beneficiaries on wills; new signatories on bank accounts, changes in property ownership, changes to estate plans or charitable contributions)
- Excessive gifts, payments, or donations in light of length and nature of relationship
- Loss of home or residence, or eviction
- Deterioration of home and environment
- Loss of control of credit cards, bank accounts, or property
- Identity theft
- Unexplained physical decline or injury including weight loss, physical function
- Negative mental or emotional changes including depression, loss of will to live, suicidal thoughts
- Violation of rights (e.g., to live where one wants, to marry or divorce, agree to or refuse treatment)
- Other (please specify) \_\_\_\_\_
- No apparent unfair or improper outcomes

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# Fiduciary Litigation

## Fiduciaries:

- Attorneys in Fact;
- Executor/Administrator;
- Trustees.



# Fiduciary Litigation

## Arrows in the quiver (when representing beneficiaries):

- Motion to Remove
  - C.G.S. §45a-242
    - Lack of co-operation among co-fiduciaries;
    - Incapacity;
    - Waste of the estate; and
    - Neglect (among other reasons).

# Fiduciary Litigation

## Arrows in the quiver (when representing beneficiaries):

- Request for an Accounting
  - C.G.S. §45a-175. Jurisdiction of accounts of fiduciaries. Appointment of auditor to examine accounts, when:
    - Courts of probate shall have jurisdiction of the interim and final accounts of testamentary trustees, trustees appointed by the courts of probate, conservators, guardians, persons appointed by probate courts to sell the land of minors, executors, administrators and trustees in insolvency, and, to the extent provided for in this section, shall have jurisdiction of accounts of the actions of trustees of inter vivos trusts and attorneys-in-fact acting under powers of attorney.
    - The action to submit an accounting to the court, whether by an inter vivos trustee or attorney acting under a power of attorney or whether pursuant to petition of another party, shall not subject the trust or the power of attorney to the continuing jurisdiction of the Probate Court.

*(continued...)*

# Fiduciary Litigation

## Arrows in the quiver (when representing beneficiaries):

- Request for an Accounting, *continued...*
  - If the court finds such appointment to be necessary and in the best interests of the estate, the court upon its own motion may appoint an auditor to be selected from a list provided by the Probate Court Administrator, to examine accounts over which the court has jurisdiction under this section, except those accounts on matters in which the fiduciary or co-fiduciary is a corporation having trust powers. The Probate Court Administrator shall promulgate regulations in accordance with section 45a-77 concerning the compilation of a list of qualified auditors. Costs of the audit may be charged to the fiduciary, any party in interest and the estate, in such proportion as the court shall direct if the court finds such charge to be equitable. Any such share may be paid from the fund established under section 45a-82, subject to the approval of the Probate Court Administrator, if it is determined that the person obligated to pay such share is unable to pay or to charge such amount to the estate would cause undue hardship.

*(continued...)*



# Fiduciary Litigation

## Arrows in the quiver (when representing beneficiaries):

- Request for an Accounting, *continued...*
  - Upon the allowance of any such account, the court shall determine the rights of the fiduciaries or the attorney-in-fact rendering the account and of the parties interested in the account, subject to appeal as in other cases. The court shall cause notice of the hearing on the account to be given in such manner and to such parties as it directs.

# Fiduciary Litigation

## Arrows in the quiver (when representing beneficiaries):

- Civil claim for breach of fiduciary duty (Superior Court action).



# Unfortunate Tale #1

## The Ninety-Two-Year-Old Aunt

### **SUMMARY:**

[1]-An elderly aunt was entitled to a prejudgment remedy (PJR) pursuant to Conn. Gen. Stat. § 52-278d(a)(1) against the defendants arising from their misappropriation and mishandling of her financial affairs, as they had a fiduciary relationship based on their power of attorney from her and they did not show that they acted honestly, diligently, and in good faith; [2]-She also showed probable cause that she would succeed on her conversion and statutory theft claims under Conn. Gen. Stat. § 52-564 because defendants deprived her of significant sums of money through unauthorized means with the requisite intent; [3]-Defenses were not sufficient to avoid granting the PJR because they did not overcome the finding of probable cause to believe that she would prevail in her action.

### **FACTS:**

During the period of time in which the defendants held powers of attorney, numerous checks were drawn on the plaintiff's account, payable to "cash," which were cashed by—or deposited into the account of—the defendants. The plaintiff, in summarizing her damages claim, states that there are 64 of these checks payable to "cash" and they total approximately \$66,000. The defendants do not appear to dispute the number and amount of the checks. The defendants claim that the cash was used to reimburse them for incidental expenses for the household or to give cash to the plaintiff herself. Nonetheless, no satisfactory accounting or credible explanation has been provided by the defendants for those transactions. Therefore, there is probable cause to believe the money was misappropriated and diverted to the personal use of the defendants.

*Continued...*



# Unfortunate Tale #1

## The Ninety-Two-Year-Old Aunt

### **FACTS (continued):**

During the period of time in which the defendants held powers of attorney, numerous checks were drawn on the plaintiff's account, payable to the defendants themselves. Those checks were cashed by (or deposited into the checking account of) the defendants. The defendants do not appear to dispute those facts. The defendants contend that the payments were either reimbursement for amounts they paid from their personal funds (or charged to credit cards) for the plaintiff's benefit, or they were payments authorized and approved by the plaintiff herself. The plaintiff denies authorizing any such payments. No satisfactory documentation such as receipts or credit card statements was provided to corroborate the defendants' explanation of the payments. Based on the totality of the evidence presented, the court finds that there is probable cause to believe the money was misappropriated and diverted to the personal use of the defendants.

The defendants used funds from the plaintiff's account to pay their personal gas credit card bills. They claim this was authorized by the plaintiff to compensate for numerous trips from their residence to her residence, but there is no testimony from the plaintiff or documentation to corroborate this. The court finds that there is probable cause to believe the payments were not for the benefit of the plaintiff and were not authorized.

The defendants used funds from the plaintiff's account to pay their electric bills for their properties. They claim this was authorized by the plaintiff but again there is no testimony or documentation to corroborate this. The court finds that there is probable cause to believe the payments were not for the benefit of the plaintiff and were not authorized.

*Continued...*





# Unfortunate Tale #1

## The Ninety-Two-Year-Old Aunt

### **FACTS (continued):**

The defendants used funds from the plaintiff's account to pay for cable TV service for their residence. Again, the defendants claim this was authorized by the plaintiff but there is no testimony from the plaintiff or documentation to corroborate this. The court finds that there is probable cause to believe the payments were not for the benefit of the plaintiff and were not authorized.

The defendants used funds from the plaintiff's account to pay for their personal cell phone bills, including overseas phone calls. The plaintiff did not own a cell phone. The defendants claim that some of the overseas phone calls were to check on the plaintiff. There are no records or invoices to support this claim and there is no documentation or testimony showing the plaintiff authorized these payments. The court finds that there is probable cause to believe the payments were not for the benefit of the plaintiff and were not authorized.

The defendants used funds from the plaintiff's account to pay for various restaurant outings. The defendants claim that payment for each of these events was authorized by the plaintiff, or bizarrely, that one of the defendant "just happened to have" the checkbook from the plaintiff's account with him at the restaurant and used that for the payment (at another point he testified that he viewed his own personal checking as "interchangeable" with the plaintiff's checking account). There is no testimony from the plaintiff or documentation to suggest that she knew of these restaurant outings, much less agreed to fund them. The court finds that there is probable cause to believe the payments were not for the benefit of the plaintiff and were not authorized.

The defendants used funds from the plaintiff's account to pay for renovations and improvements to their condominium property. There is no testimony from the plaintiff or documentation to suggest that she knew of these improvements to the condominium property, much less agreed to fund them. The court finds that there is probable cause to believe the payments were not for the benefit of the plaintiff and were not authorized.



# Unfortunate Tale #1

## The Ninety-Two-Year-Old Aunt

### FACTS (continued):

One defendant used \$1,300 from the plaintiff's account to pay for a European tour. There is no testimony from the plaintiff or documentation to showing that she authorized the use of her funds for this purpose. The court finds that there is probable cause to believe that the payment was not for the benefit of the plaintiff and was not authorized. There is probable cause to believe that the various expenditures outlined above were not disclosed to the plaintiff at the time they were made.

There is probable cause to believe that during the time that the defendants managed the plaintiff's finances under the powers of attorney, that one of the defendants either intentionally withheld information from the plaintiff regarding the various expenditures outlined above, or actively misled the plaintiff to conceal the fact that these expenditures were being made.



# Unfortunate Tale #2 – Mickey Rooney

## **ABC NEWS ARTICLE:**

### **Actor Mickey Rooney Granted Court Protection From Step kids**

By COURTNEY HUTCHISON, ABC News Medical Unit

Feb. 17, 2011



Actor Mickey Rooney has been the alleged victim of elder abuse at the hands of his own step kids, according to restraining orders filed Monday.

The 90-year-old actor, who, born into vaudeville has had one of the longest careers of any actor, was granted court protection from stepson Chris Aber and his stepdaughter Christina Aber, after he filed a case against them charging verbal, emotional and financial abuse, and for denying him such basic necessities as food and medicine.

The court documents say that both Chris and Christina Aber have been keeping Rooney as "effectively a prisoner in his own home" through the use of threats, intimidation and harassment.

Chris Aber has also been accused of taking control over Rooney's finances, blocking access to his mail and forcing the actor into performances he does not wish to do.

With the assistance of attorneys Bruce Roth and Vivian Thoren of Holland & Knight LLP, Rooney sought and was granted temporary protection for not only himself but for his wife, Jan Rooney, and his stepson, Mark Rooney, who lives with the actor.

Rooney fears for their safety and is worried Chris and Christina Aber might retaliate in a physically abusive way, or try to kidnap the actor now that the case has been filed, court documents say.

*Continued...*

# Unfortunate Tale #2 – Mickey Rooney

## **ABC NEWS ARTICLE (continued):**

"All I want to do is live a peaceful life, to regain my life and be happy," Rooney wrote in a statement to his fans. "I pray to God each day to protect us, help us endure and guide those other senior citizens who are also suffering." In addition to two temporary restraining orders granted against Christina and Chris Aber, Los Angeles Superior Court Judge Reva Goetz appointed attorney Michael Augustine as temporary conservator of his estate. A hearing on who should take over as permanent conservator of the estate will take place in March, Bruce says.

### **Elder Abuse: Taking Advantage of the Aged**

While elder abuse of this magnitude is relatively rare, geriatric experts say, instances of some kind of abuse and neglect, whether psychological, physical, sexual or financial, are a major concern among aging populations. According to the American Psychological Association, an estimated 2.1 million older Americans become victims somewhere on the spectrum of abuse.

Debra Greenberg of the Gerontology Division at Montefiore Medical Center in New York says that this kind of "extreme case" has only come across her desk a couple of times. More often than not, elder abuse has to do with unintentional neglect from family members who are ignorant of the proper ways to care for an aging individual. Self-neglect, which occurs when the elderly fail to follow medical advice or otherwise care of themselves, is a leader in the reporting of elder abuse. Financial abuse, when younger family members misuse the elderly person's assets, follows closely. According to the National Elder Abuse Center study, self- and financial-abuse comprise 21 percent of elder abuse cases.

And abuse has consequences that reach beyond an assault on the quality of life of the elderly: Studies suggest that older people who have been abused tend to die earlier than those who have not been, even in the absence of chronic or life-threatening illness, according to the American Psychological Association.

"If you see abuse of any kind going on, there are people you can turn to," Greenberg says. "If you think this is life and death, obviously call 911, but if it's ongoing, most departments for the aging can get you where you need to go."

# Mickey's Testimony on Capitol Hill In Washington

**At the March 2, 2011 hearing before the Senate Special Committee on Aging to address elder abuse and financial exploitation, Mickey Rooney-- actor, legendary performer and World War II veteran-- bravely shared the following:**

"I have worked almost my entire lifetime of ninety years to entertain and please other people...But even with this success, my money was stolen from me, by someone close...a family member. When that happens, you feel scared, disappointed, angry, and you can't believe this is happening to you. You feel overwhelmed. The strength you need to fight, it is complicated. You're afraid, but you're also thinking about your other family members. You're thinking about the potential criticism of your family and friends. Because you love your family and for other reasons, you might feel hesitant to come forward. You might not be able to make rational decisions. When I asked for information, I was told that I couldn't have any of my own information....At first, it was something small...but then it became something sinister that was completely out of control....I felt trapped, scared, used, and frustrated. But above all, I felt helpless....For years, I suffered silently....I was literally left powerless...."

***-Testimony of Mickey Rooney, Senate Special Committee on Aging, March 2, 2011.***



# Questions?



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**Thank You!**

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