



FINANCIAL EXPLOITATION AND ABUSE OF OLDER ADULTS: BUILDING COURT-COMMUNITY COLLABORATIONS

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Poll 1

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Have you (and your team) already submitted an application for STAGES Pilot Institute?

- Yes
- No
- Not Sure



Learning Objectives

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As a result of this webinar, you will be better able to:

- Identify the benefits of cross-training and multi-disciplinary collaboration between courts, judges and community allies in order to serve older adult victims of financial exploitation and elder abuse
- Engage with stakeholders to commence and/or improve communication and collaboration to enhance the response to older adult victims of financial exploitation and elder abuse



FINANCIAL EXPLOITATION OF ELDERS- WHY DOES IT MATTER?



Poll 2

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I have handled financial exploitation cases/clients

Yes

No





Increasing Population of Older Adults

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- The number of elders (people over the age of 60) is steadily increasing in the US...
- Thanks to the baby boomers, who began turning 65 in 2011, the population of older Americans is expanding. By 2030, one in five Americans will be a senior citizen, nearly double the 12 percent in 2000.



U.S. Census Bureau Projections

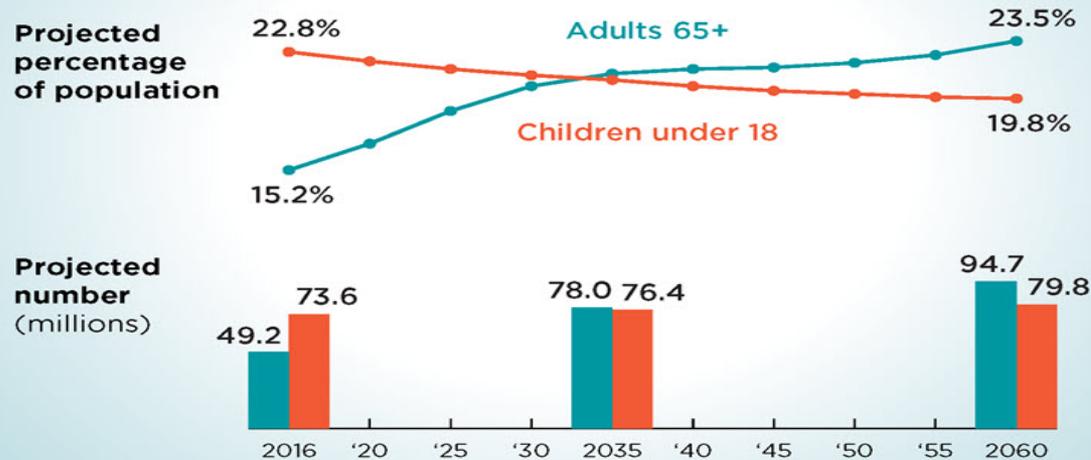
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An Aging Nation

Projected Number of Children and Older Adults

For the First Time in U.S. History Older Adults Are Projected to Outnumber Children by 2035



Note: 2016 data are estimates not projections.

United States
Census
Bureau

U.S. Department of Commerce
Economics and Statistics Administration
U.S. CENSUS BUREAU
census.gov

Source: National Population
Projections, 2017
www.census.gov/programs-surveys/popproj.html



Prevalence of Financial Exploitation

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- A groundbreaking study based in New York estimated that 260,000 (1 in 13) older adults in the state of New York had been victims of at least one form of elder abuse in the preceding year. This study found that major financial exploitation was self-reported at a rate of 41 per 1,000 surveyed, which was higher than self-reported rates of emotional, physical, and sexual abuse or neglect.⁸





Prevalence of Financial Exploitation 2

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- One in nine seniors reported being abused, neglected or exploited in the past twelve months
- The rate of financial exploitation is extremely high, with 1 in 20 older adults indicating some form of perceived financial mistreatment occurring in the recent months





Prevalence of Financial Exploitation 3

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National Institute of Justice study found that the most common types of financial mistreatment were:

- Having someone steal or spend their money
- Sell or take their property
- Forge their signature





Perpetrators of Financial Exploitation

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- 90% of abusers are family members or trusted others
- This can include:
 - Caretakers
 - Family members
 - Neighbors
 - Friends and acquaintances
 - Attorneys
 - Bank employees
 - Pastor
 - Doctors or nurses





Co-occurring Forms of Abuse

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In addition to financial exploitation, elders may experience the following:

- Physical Abuse
- Psychological
- Sexual Abuse
- Neglect
- Abandonment



Poll 3

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In cases of abuse against older adults I have seen, the presenting issue was usually

- Financial exploitation
- Psychological abuse
- Neglect
- Physical abuse
- Sexual abuse
- Abandonment
- I have not seen cases like this



Use Chat

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- What are the biggest challenges facing the court and the community handling cases of financial exploitation and abuse against older adults?



STRATEGIES AND TRAINING TO
ADVANCE GREATER ELDER SAFETY
(STAGES) PILOT INSTITUTE
TRAINING OVERVIEW



STAGES Institute* Overview

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- 2-Day Institute
 - January 9-10, 2019 in Charlottesville, VA
- Application Deadline: November 9, 2018
- No cost to attend— all participant travel is covered by Futures Without Violence once approved
- Review Timeline
(subject to change):
 - All team applications in by November 9, 2018
 - Review & Follow-up Calls by November 19, 2018
 - Final Selection of teams by December 1, 2018

****Please note that the conference is still pending DOJ approval***



STAGES Institute Team Requirement

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- Team configuration
 - 3-5 team members made up of:
 - Judge (required)
 - Court Administrator/Advocate/ Prosecutor
 - Community Service Provider
 - Adult Protective Services
 - Law-enforcement
 - Court-Appointed Guardian
 - And any other court/ allied professionals who address abuse of older adults



STAGES Institute Learning Objectives

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- Recognize financial exploitation against older adults, other forms of abuse that may co-occur, and ways in which age can increase vulnerability to these crimes.
- Work together within the court and with community partners to enhance practices and protocols to provide fair, efficient, accessible services for older adults who have experienced financial exploitation and abuse.
- Identify and define legal, medical and financial instruments and terminology that may arise in cases involving financial exploitation and abuse of elders.
- Assess opportunities for improvement in your court practices and policies and commence planning to meet the needs of older adults who have experienced financial exploitation and abuse.



Overview of Curriculum

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- Age & Ageism
- Financial Exploitation & Abuse Dynamics
- Access to the Courts & Accommodations
- Peer Based Problem Solving
- Communicating with Older Adults
- Building Relationships and Collaboration
- Evidentiary Issues and Evaluation of Facts
- Leadership in the Court and Community to Eliminate Financial Exploitation and Abuse
- Decision-making in Financial Exploitation
- Action Planning



BEST PRACTICES: BUILDING COURT- COMMUNITY COLLABORATIONS





MDTs and E-MDTs

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- Multidisciplinary Teams (MDTs) are comprised of professionals from various disciplines whose primary focus is to investigate, intervene, and prevent financial exploitation of older adults.
- Enhanced- Multidisciplinary Teams (E-MDTs) are the same as MDTs but includes a specialized professional in a discipline specific to the issue
 - Forensic Accountant
 - Geriatric Doctor





Benefits of E-MDTs/ MDTs

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- Provide relief to the victim at the earliest possible juncture; stop exploitation/abuse and prevent further inappropriate use of funds.
- Spend victim's funds on appropriate care or other needs that benefit the older adult.
- Efficient use of limited resources; improve collaboration among agencies previously working in parallel.
- For E-MDTs: Unique access to a forensic accountant and geriatric psychiatrist.





Existing Collaborations

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In 2015 the National Center on Elder Abuse released a review of 15 working groups in the US:

- Alabama
- Alaska
- Arizona
- Colorado
- Iowa
- Maine
- Massachusetts
- Minnesota
- Nevada
- North Carolina
- Ohio
- Pennsylvania
- South Carolina
- South Dakota
- Tennessee



But there are many more collaborations
happening all over the country...



Example: Upstate Elder Abuse Center at Lifespan E-MDT

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Key Elements:

- Information Sharing & confidentiality issues
- Initial & ongoing funding
- Engaging potential members; i.e. overcoming existing “silos” & proving relevance



BEST PRACTICES: ENGAGING JUDGES



Why Judges?

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- Elder abuse and exploitation occurs across the court system: probate, civil, family, and criminal
- Coordinated court responses to issues related to exploitation, help the court and community address safety and security more effectively
- All court parts/jurisdictions should be aware of community resources available to victims and services for perpetrators within the community to increase and ensure elder safety



Promoting Judicial Leadership

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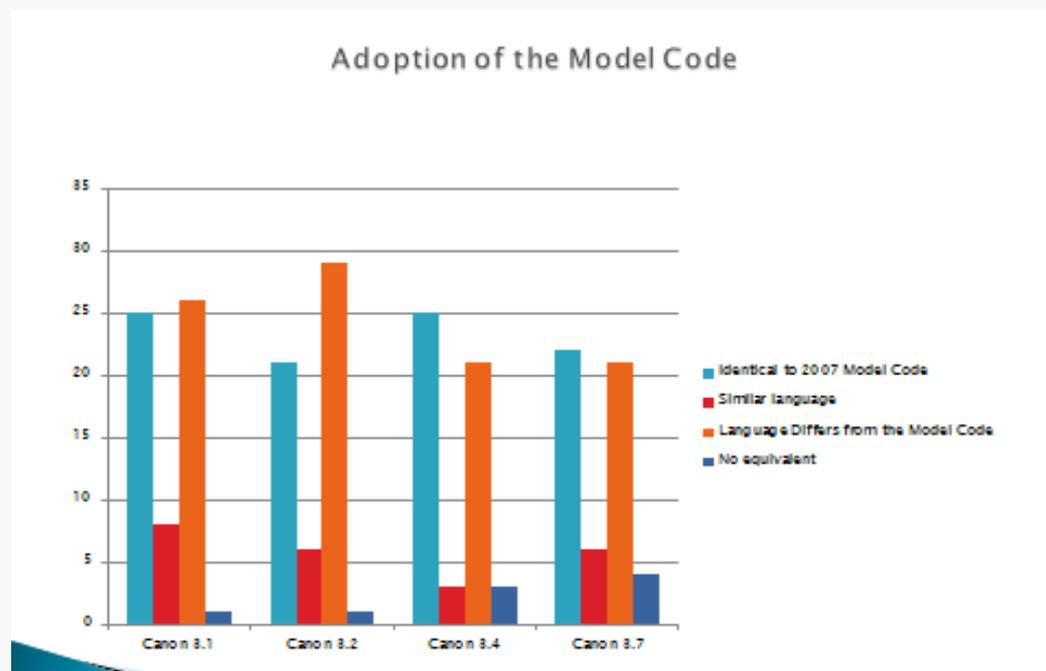
- Judicial leadership is essential to ID internal court processes that require change to address exploitation across case types.
- Judicial leadership is critical since the knowledge of and creation of MDTs/ CCRs to address community service needs and effective legal responses will affect cross systems interventions for elders when they do come before the court regardless the door.
- Judicial leadership will affect procedural justice for all parties and accountability and responsibility of defendants



Ethical Considerations

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- Judicial leadership is encouraged in addressing elder abuse and exploitation and other arenas as an appropriate extra-judicial activity as long as the issues relate to the law and administration of justice.



Ethical Considerations 2

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- Judges can be engaged as long as there is no appearance of bias, the participants in the CCR/MDT effort represent amenities involved in the issue at hand including defense bar and prosecution.



Questions?

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Please use the chat box to ask any questions you may have.



Thank you!

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Pilot Institute Application:

<https://www.surveymonkey.com/r/STAGES2019>

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Webinar Evaluation:

<https://www.surveymonkey.com/r/STAGESWebinar>

