

Issue #4

Senior Defense Newsletter

The Senior Financial Defense Grant is a project undertaken by the Legal Services Developer Program within the Senior and Long-Term Care Division at the state of Montana. Its goal is to effectively address the needs of victims of



Figure 1: Almost Symmetrical, Thompson Falls MT

financial exploitation in Montana, through victim services, enhanced reporting, training, and education. This newsletter is going out to committee members, former trainees, and friends of the project. Whatever your role, we are thrilled to involve you in this important endeavor and welcome your feedback and participation.

This is the 4th quarterly newsletter. Whether you signed up at a training, clinic, or at a presentation, we are happy you have taken an interest in our project and we are excited to tell you about our recent progress.

Outreach Our Project Director, Katy Lovell, and our staff attorney, Susan Gobbs, traveled to Havre to train local professionals on “The Legalities of Aging.” The training touched on legal issues faced by seniors as they age as well as information on financial exploitation, abuse, and neglect. Our organization was shared as a resource for the community and will hopefully spur more reporting.

We attended the Governor’s Conference on Aging in Butte this year. While the Senior Defense Grant did not have a formal presence, we were able to share our grant resources at the Aging Services booth and provide support for the rest of our bureau.

Figure 2: Trout Creek Canyon, York MT



Clinics This quarter was a busy one for clinics. In July, we hosted a clinic in Thompson Falls, MT, where we helped 31 individuals with their estate planning needs. This was an interesting clinic to say the least, in that the location we had

reserved was much smaller (and hotter) than we expected. The “ballroom” was more of a foyer, which forced us to leave less space between clinic stations, and only had one small air conditioner that was not keeping up with the space. It made for an uncomfortable experience for participants and volunteers alike. 75% of respondents were extremely satisfied with the clinic experience, 15% were satisfied, and 10% said the experience was “OK.” 63% of volunteers indicated that they were “extremely satisfied,” 25% respondent indicated that they were “satisfied,” and 13% said the experience was “OK.” One respondent reported being or knowing a victim of exploitation, but did not request assistance. The training we held the day before our clinic saw an attendance of 9 local professionals who displayed an increase in comprehension of 10%. The Tribal Elder Justice Office in Polson sent quite a few of their employees, which is great to see.

In August, we visited Butte to host a clinic at the Belmont Senior Center where we served 34 individuals. In stark contrast to Thompson Falls, the Belmont is a large, spacious building that allowed for ample room. It was also a much cooler space, which keeps our seniors and volunteers happy and at full capacity. 93.1% of respondents were extremely satisfied with the clinic experience, 3.4% were satisfied, 3.4% were extremely dissatisfied. We usually don’t get “extremely dissatisfied” ratings at our clinics, so this was a major concern. Due to their positive responses to the rest of the questions and no suggestions for improvement, we believe the

respondent may have simply been confused by the answers. 100% of our volunteers indicated that they were “extremely satisfied” with the experience. Four respondents reported being or knowing a



Figure 3: Grasslands, Terry MT

victim of financial exploitation, but note requested further assistance or provided contact

information. At our training the day before the clinic, we trained 13 local professionals who displayed an increase in comprehension of 11.47%

To wrap things up, we visited Baker in September to host a legal clinic at which we served 24 participants. As is common with these clinics, our plans started to crumble a few days before the clinic was scheduled; we lost our Director, our AmeriCorps Member, and several volunteers and contractors to Covid exposure and illnesses. Therefore, our crew of ten was cut to just seven, limiting how much we could get done in our allotted time. We scrambled, broke the clinic into two days, and served the same amount of folks we would have with a full crew! 90.9% of respondents were extremely satisfied with the clinic experience, 9.1% were satisfied. Because of our limited staff and time, we were not able to conduct analysis of our volunteers, nor were we able to collect pre or post tests from our trainees. Three participants reported being or knowing a victim of exploitation, but none requested further assistance.



Figure 4: The Dam in Thompson Falls MT

We made some edits to clinic tools this quarter as well. We have updated our Healthcare POA to include a guardianship clause, allowing the Principal to suggest a possible Guardian should one ever need to be appointed. This makes our POA a more effective tool for someone who is trying to put an end to exploitation, as it makes it more likely that someone of their choice will be appointed as their guardian if one is ever needed.

With the help of grant partner Barb Harris at MLSA, we created new forms for clinic participant that will help them track who they have given a copy of their POA forms to. We made one form for the Healthcare POA and one for the Financial POA. This is an important tool because if a POA is ever altered or revoked, the Principal needs to be able to collect all the old versions. We also created some short explanations for the new forms, as well as for the “warning for agents” tool that we distribute at our clinics, that helps participants understand what to do with the documents when they leave our clinic.

2023 is right around the corner and it is time to start planning our next clinic season. So far, we have had requests from the following areas:

- Lincoln County
- Havre
- Easter MT
- Poplar



Figure 5: Yard Bucks, Helena MT

We have heard back from representatives of the Fort Peck Tribe that they should have no

issues getting ITI reports for clinic participants. This is a big win for us, as we haven't been able to host an Indian Wills clinic since Covid began.

Lunchtime Training Series Our training series is still in full swing. Check out the trainings we hosted this quarter:

1. Legal and Financial Planning for Caregivers pt 1 (Alz) – Susan Gobbs
2. Legal and Financial Planning for Caregivers pt 2 (Alz) – Susan Gobbs
3. Faith and Community Based Services training -- Tracy Moseman
4. SNAP -- Aria Beitler-Williams
5. Person First Language – Richard Heitstuman
6. CFPB – Lisa Schifferle
7. Dementia Conversations (Alz) -- Susan Gobbs
8. Demystifying Elder Abuse and Exploitation Prosecutions pt 1: Criminal Case Procedure – Mike Fanning
9. Demystifying Elder Abuse and Exploitation Prosecutions pt 2: Crimes and Prosecution – Mike Fanning

Our trainings are being posted (usually) within a week of them being recorded, so be sure to check out our website for ones you missed!

<https://dphhs.mt.gov/SLTC/aging/legalservicesdeveloper/Training>



Figure 6: Sorry I Don't Have Bread, Thompson Falls MT

Resources for Agents, Guardian/conservators, and Caregivers Although not slated until 2023, we have begun working on our newest training series aimed at providing advice and resources for Agents, Guardians, Conservators, and Caregivers.

So often in Montana, we ask people to serve in these capacities, but we rarely provide them with the knowledge or tools in order to uphold this responsibility. It is our hope to provide some of these missing resources.

Our first training in this series was “Best Practices for Guardians” by Erica Costello from the ABA. It was great to get a national perspective on what Guardians should be doing. Erica also did an excellent job of relating everything back to our actual statutes, highlighting where we

are doing well as a state and also identifying some issues. Erica’s training is posted on our website, so be sure to check it out.

We are working with several different organizations and individuals to provide more of these trainings. If you have any suggestions as to who you would like to hear from, please let us know.

Advocacy Most of our advocacy this quarter was accomplished through our legal clinics. However, we did get involved in a couple additional cases. One involved a senior who had a complaint against a supposed roofing company. We referred the case to the new Elder Justice Attorney at the Office of Consumer Protection, Mike Fanning.

We also received a report of Medicare fraud from a concerned senior. We constructed a detailed plan for them which took them through steps they can take to protect their personal finances. We then referred them to the Senior Medicare Patrol to ensure they captured the details of the fraud. While Medicare fraud usually doesn’t affect the victim’s personal finances, it can have devastating effects on our Medicare system and result in higher medical prices for everyone.

Tools and Resources We have replaced our Power of Attorney forms on our website with ones that do not include our springing language clause. We also created instruction forms and posted them as well. It is important that the forms we are using at our clinics and the ones available on our website are consistent. While we do not suggest that people use our forms without legal counsel, we do want to make them as easy to understand and use as possible.

We have updated the tool “What To Do If You Are A Victim Of Identity Theft” to include vital information on the Office of Consumer Protection. We also added the “Protect Yourself from Money Mule Scams” tool so victims can identify when they are a part of a criminal enterprise and put an end to their participation.



Figure 7: The Antelope Plains, Terry MT

The State of Affairs

The FBI recently sounded the elder fraud alarm. They have recently released a report stating that in 2021, seniors lost almost \$2 billion to scammers. This figure is up almost 75% from 2020, which illustrates just how much senior financial exploitation is increasing nationwide. It also highlights the uptick in fraud brought on by the global pandemic. On their recent report, the FBI reported that the average loss per individual was almost \$20,000, with many seniors losing well over \$100,000. It is clear that financial exploitation is a growing problem in our country, one that cannot be ignored.



Figure 8: Crow Creek Falls, Radersburg MT

Pro Tip = This uptick in financial exploitation is nationwide, encompassing many different forms of exploitation. Therefore, it is important to be diligent in looking out for the signs of all types of exploitation:

- Be mindful of any job, prize, or offer that sounds too good to be true.
- Don't trust that a caller is who they claim to be. Do your due diligence in verifying their identity. If they claim to represent an organization, hang up, look up the organization, and call the number that you found yourself.
- Remember that you can't win something if you never entered the competition, lottery, or drawing.
- Always read contracts carefully. If you have a trusted friend or family member, let them read all contracts before signing them.
- Always read the fine print on offers, statements and bills. If something doesn't seem right, ask a friend, family member, or local advocate to take a look.
- Stay on top of your finances and check statements often. Request your annual credit reports from Experian (1-800-493-1058), Equifax (1-888-548-7878), TransUnion (1-800-916-8800). Look for irregularities and bring them to the attention of your bank should you find any.

- Don't assume a relative or friend has your interests at heart, even if they should.
- Never give out personal information (social security number, credit card number, etc.) over the phone to an unknown caller.

Until Next Time That's all for now. The next newsletter will be sent out in January of 2023. If you need to contact the Senior Defense Grant for any reason, you can reach out to the Project Coordinator, Richard Heitstuman, at 406-417-8648, Richard.heitstuman@mt.gov, or you can call the Legal Services Developer, Katy Lovell, at 406-444-7787.



Figure 9: Top of the Falls, Radersburg MT