



Figure 1: Bear Canyon, Bozeman

Issue #3 of the Senior Defense Newsletter

The Senior Financial Defense Grant is a project undertaken by the Legal Services Developer Program within Senior and Long-Term Care. Its goal is to effectively address the needs of victims of 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 third of our quarterly newsletters. 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.

New Field Workers

The Field Worker is an important position within the grant, as they are responsible for organizing clinic materials before each trip. We have hired two new field workers, Becky Belstad and Kimme Evermann. Kimme works for DPHHS and is helping us with clinic prep as well as helping seniors with Medicare Helping Programs at each clinic. Becky is helping us get prepped for each trip as well as informing seniors as to what to do with their documents after a clinic appointment. Both Becky and Kimme have proven to be great assets to the team.

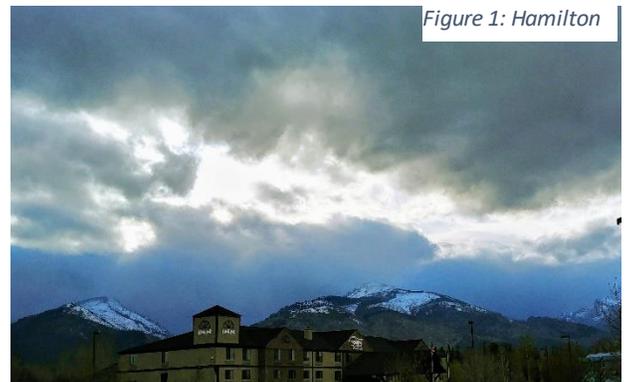


Figure 1: Hamilton

Clinic and Training Schedule

The remainder of our clinic and training schedule is as follows:

- Wilsall Training – July 17th, 2-5pm, Wilsall Dance Hall, 105 Clark Street West
- Wilsall Clinic – July 18th, 9am-4pm, Wilsall Dance Hall, 105 Clark Street West
- Libby Training – August 21st, 2-5pm, Libby Senior Center, 206 E 2nd Street
- Libby Clinic – August 22nd, 9am-4pm, Libby Senior Center, 206 E 2nd Street

- Billings Training – October 22nd, 2-5pm, Alliance Adult Resource Center, 935 Lake Elmo Drive
- Billings Clinic – October 23rd, 9am-4pm, Alliance Adult Resource Center, 935 Lake Elmo Drive



Figure 2: Southern Bridgers, Bozeman

2019 Clinics We have completed 3 of the 6 clinics scheduled for 2019. Our clinic in Hamilton was staffed by volunteer attorneys and paralegals as well as law students from the Alexander Blewett III School of Law. We served 50 seniors.

The clinic in Glasgow was staffed by our excellent group of volunteers. We also had several student volunteers from Glasgow High School that helped with copying, typing, and if they were 18 or older, witnessing documents. We served 32 seniors, and it was the most highly reviewed clinic by volunteers in grant history, scoring a perfect 100% satisfaction rating.

Hardin was another successful clinic. Along with our group of consistent volunteers, we also had several interns from Crowley Fleck in Billings who helped draft documents. We were able to serve 17 seniors.

A Greener Clinic Through our partnership with Helena Ink and Toner, we are now using 100% recycled ink and toner cartridges at our clinics. In addition to providing DPHHS water bottles as opposed to disposable water bottles and handing out recycled, paper-based pens, using refilled ink cartridges is helping reduce our impact on the environment and ensure that our clinics continue to do more good than harm.

Figure 3: Sacrifice Cliff, Billings



SB 311 The bill that recently passed through the Montana Legislature will become law in October of this year. Some Highlights of the bill are:

- DPHHS is specifically mentioned in the bill as a “covered agency.” This will help with reporting to APS and our program.
- New definitions of financial exploitation and new methods of “transactions” will allow for more crimes to be prosecuted.
- Financial institutions can report suspected exploitation to covered agencies, close family members/associates, authorized contacts, co-owners/signees, beneficiaries,

conservators/guardians, and others, but are not required to if they think the stated individuals/organizations are party to the exploitation.

- Financial institutions “shall make a reasonable effort” to provide annual training for their employees regarding financial exploitation. This is a big deal for us, as our trainings (offered the day before each clinic, hosted by Legal Service Developer and Adult Protective Services) could qualify as the suggested annual training. This may allow us to train even more professionals!
- Financial institutions can now delay transactions involving the account of a suspected victim of exploitation if they believe the transaction could lead to exploitation or if a “covered agency” provides information suggesting the transaction could lead to exploitation. They must notify all listed contacts, unless they are suspected of being involved with the exploitation.
- Notification of any delay can be reported to any “covered agency.”

Some Disclaimers:

- Financial institutions are not required to delay a transaction that they suspect could result in exploitation. A court can require a delay, however.
- The temporary delay issued by a financial institution can only be in place for 15 days. A “covered agency” has the ability to extend up to 25 days. A court can extend it indefinitely.
- Although the law gives financial professionals options as to reporting and holding suspicious transactions, it does not require these actions. Financial professionals are not required to act in the best interest of their clients and there are no punishments for failing to report or hold a suspicious transaction.
- Those who do choose to act in the interest of a suspected victim are “...immune from all criminal, civil, and administrative liability for any act taken pursuant to [sections 1 through 4 {reporting or holding a suspicious transaction}], unless such act of the financial institution or its representatives was done in bad faith and caused pecuniary

loss to an older person or a person with a developmental disability who was suspected of being a victim of financial exploitation.”

The State of Affairs The most recent scam to show up in our backyard took it a step further, it showed up in my own email. Recently, I have been receiving phishing emails



Figure 4: Toston Dam, Toston

in my state inbox. These emails contain links, sometimes claiming to be for Twitter, sometimes claiming to be from Wells Fargo. The link's address is the giveaway; *http* instead of *https*, domains that don't match the supposed sender, etc. This just goes to show that even the professionals working to prevent these scams are targeted.



Figure 5: Southern Bridgers, Bozeman

Until Next Time That's it for now. The next newsletter will be sent out in September or October. If you need to contact the project for any reason, you can reach out to the Project Coordinator, Richard Heitstuman, at Richard.heitstuman@mt.gov or you can call the Legal Services Developer, Katy Lovell, at 406-444-7787.