

Issue #6 Senior Defense Newsletter



Figure 1: Bridger Creek

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 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 sixth 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, was recently featured on “Aging Horizons,” a Department of Public Health and Human Services-sponsored television program designed to address major issues faced by senior citizens. On the show, Katy talked about financial exploitation, misinformation concerning certain estate planning documents, and the importance of estate planning for keeping a senior’s finances secure and protected. You can find this episode and more on the DPHHS YouTube page, <https://www.youtube.com/user/MontanaDPHHS>.

Figure 2: Elk Herd, Gates of the Mountains Wilderness, Helena.



Our grant project puts a large emphasis on getting information to the public in the form of trainings and other outreach activities. It isn't just the public we work with, however. Our team has also been approached by other professional organizations hoping to do similar work.

Montana Legal Services Association requested some of the tools we use to get seniors ready for legal appointments. They hope to incorporate the tools into their intake and client preparation protocols.

We will also continue to work with the Bank of the Rockies to provide resources for those affected by financial exploitation. Aside from helping us create and distribute tools, they also sponsor clinics in any location that they have a bank branch. This year, they will be assisting with the Emigrant and Helena clinics. They provide volunteers to help us run the clinics as well as the finances to feed our volunteers at those specific clinics.

One of the grant's newest partnerships is with the Adaptive Law Firm in Washington state. Their owner, Hollie Del Vecchio Ph.D., contacted us with the hopes of duplicating our clinic efforts in coordination with the Skagit Volunteer Lawyer Program. We have sent them all pertinent tools and protocols and hope to see their clinics up and running soon!

In response to the COVID outbreak, our team created a memo that details scams associated with disasters and the COVID outbreak specifically. The memo was shared with the Area Agencies on Aging, who distributed it to their respective senior centers. We also created a flier about the organizations still offering services during the outbreak. 2000 copies were printed and distributed through home-delivered meal programs.

Advocacy Cases We don't just host clinics and help with estate planning, we also help any senior who asks in any way that we can. Often, that includes much more work than the grant can provide. That is why we work closely with the Legal Services Developer Program's legal advice hotline. We help seniors with things like reporting the incident and freezing their financial accounts while the legal professionals from the advice hotline help the seniors navigate the legal process, draft legal notices, find and fill out the required forms, etc. They are a great asset and we are eternally grateful for their involvement.

One advocacy case faced this quarter involved a case of identity theft. Not only had this senior's identity been stolen, their children's identities were also compromised. We shared all of our known resources with the senior and detailed how to go about reporting and filing claims with the different entities. We followed up with the senior later in the quarter to make sure they had done what was needed.

Another advocacy case involved a corrupt company selling a new adjustable bed to a senior. The senior did not want the bed and asked them to come get it and return the old bed the company had removed from their home. Not only did they refuse to take the bed back, they claimed that the bed they had removed from the senior's home was disposed of. We assisted the senior in reporting the issue to the Office of Consumer Protection, the Federal Trade Commission, and the Better Business Bureau.

The final advocacy case we wanted to share involves a senior who was coerced into buying a new car. The senior went to the dealership for a recall on their Nissan's airbag. Instead of fixing the issue, the dealership pressured the senior into buying a new car and trading in their current vehicle. They also tacked on a pricey warranty and replaced the new car's tires with the tires from the old vehicle that the senior had traded in! After intervention from the senior's family, the dealership agreed to take the car back, but said the warranty was non-refundable. They had also already sold the senior's old car (because it was well cared for and had very low miles). The incident was reported to the FTC, the OCP, and the BBB.

Figure 3: Black Bear Scrape, Rimini





Figure 4: Sandhill Cranes (Ribeye of the Sky), Lake Helena

Multi-Media Ad Campaign

Our radio and TV ads have played across most of Montana’s stations, starting in October of 2019 and coming to a conclusion January of this year. In December, our ads ran on TV 804 times at a total value of \$34,856 and ran on radio 2,903 times at a value of \$46,164. In January, our ads ran on TV 429 times at a total value of \$30,030 and ran on radio 2,475 times at a value of \$39,810. All in all, our ads

played on TV a total of 2,198 times at a total value of \$110,876. Our radio ads played 10,274 times at a total value of \$162,132. This type of exposure would never had been possible without the help of Montana Broadcaster’s Association. They have agreed to run the campaign again for the same price if we would like to do so in the future.

2020 Clinic and Training Locations

Our original 2020 schedule was as follows:

Trainings

- Date:** March 18th
Location: Powell County Senior Center, 100 Missouri Ave., **Deer Lodge**
Time: 2-5pm
- Date:** April 16th
Location: Hamilton Senior Center, 820 North 4th St., **Hamilton**
Time: 2-5pm
- Date:** May 20th
Location: Angel Light Catering, 644 Sunnyside Ave., **Plentywood**
Time: 2-5pm
- Date:** June 11th
Location: Joe McDonald Building, Salish Kootenai College, 58138 US Hwy 93, **Pablo** ***This is a clinic-specific training, only open to volunteers
Time:2-5pm
- Date:** July 21st
Location: Great Falls Senior Center, 1004 Central Ave., **Great Falls**
Time: 3-6pm
- Date:** August 19th
Location: Community Hall, 30 Murphy Ln., **Emigrant**
Time: 2-5pm
- Date:** September 9th
Location: First Presbyterian Church, 535 N. Ewing St., **Helena**
Time: 2-5pm

Clinics

- Date:** March 19th
Location: Powell County Senior Center, 100 Missouri Ave., **Deer Lodge**
Time: 9am-4pm
- Date:** April 17th
Location: Hamilton Senior Center, 820 North 4th St., **Hamilton**
Time: 9am-4pm
- Date:** May 21st
Location: Angel Light Catering, 644 Sunnyside Ave., **Plentywood**
Time: 9am-4pm
- Date:** June 12th
Location: Joe McDonald Building, Salish Kootenai College, 58138 US Hwy 93, **Pablo*****Clinic Pending Tribal Approval
Time:9am-4pm
- Date:** July 22nd
Location: Great Falls Senior Center, 1004 Central Ave., **Great Falls**
Time: 9am-4pm
- Date:** August 20th
Location: Community Hall, 30 Murphy Ln., **Emigrant**
Time: 9am-4pm
- Date:** September 10th
Location: First Presbyterian Church, 535 N. Ewing St., **Helena**
Time: 9am-4pm

Due to the COVID-19 aka “Coronavirus” outbreak, we were forced to cancel the first two clinics (Deer Lodge, Hamilton) as well as our clinic on the CSKT reservation in June. We are hoping the rest of our schedule will be unaffected. We also hope to replace the June clinic with another location.

We were able to serve those folks that signed up for the Deer Lodge clinic via phone clinics. Our wonderful volunteers stepped up to the plate and handled the appointments over the phone and sent the documents to us for review. As for Hamilton, we had not started advertising at the time of the clinic cancellation, so only two seniors had signed up. We were able to serve them via phone clinics performed by the advice program’s legal professionals.

Guardianship Webinar Series We have enlisted the help of legal professionals across the country to present on a variety of topics relating to Guardianships and Guardianship law, both nationally and in Montana. It is our hope that the webinar series will help inform the professionals that handle Guardianships in our state (often it is a public defender) about the Guardianship process and the tools and assistance available to help navigate, circumvent, or argue for a Guardianship. The webinar series has been a huge hit so far. Our presenter and topic list is as follows:

- Kathryn Munro - *Demystifying the Guardianship and Conservatorship Process.*
- Susan Gobbs - *Diminished Capacity - What Is It and How Do We Recognize It's Effects?*
- Dari Pogach - *Adult Guardianship: National Reform Trends*
- Homa Woodrum - *Representation of Persons Facing and Under Guardianship in Nevada*
- Tal Goldin - *Preserving Individual Dignity and Self-Determination in Guardianship Work*
- Daniel Wilson - *The Guardianship Challenge: Crafting Fiduciary Appointments Properly Limited in Scope*

The live series has concluded but the recordings will soon be available on the DPHHS website.

Pro Bono Work with Alexander Blewitt III Law School

The phone clinic that was hosted in Missoula in coordination with the law school was very well reviewed. We received some of our best scores yet, with 100% of respondents indicating that they had learned and benefited from the clinic, and that they would recommend volunteering for a clinic. 100% of respondents reported being “extremely satisfied” with the clinic experience. Two of the questions, involving the training and orientation, received slightly lower scores, with one respondent answering “agree” as opposed to “strongly agree.”

T.O.D.D. – The New Beneficiary Deed

Our new templates are done. Our grant team's excellent legal minds created four different forms (single beneficiary/single transferor, multiple beneficiaries/single transferor, single beneficiary/multiple transferors, multiple beneficiaries/multiple transferors). If you would like to see our new forms or have further questions, please reach out to the project coordinator (contact info at the end).



Figure 5: A cold hike, Rimini

The State of Affairs

The topic on everyone's mind lately, including seniors, is the COVID-19 virus and its spread throughout the United States. Unfortunately, this situation hasn't created enough hardship according to scammers. They are fast at work setting up fake charities, impersonating aid organizations, and claiming to be from Social Security and Medicare to trick seniors out of their money.

We suggest checking out all charities before donating. This means looking them up yourself, not using the URL or phone number that was provided to you by a caller or an email, and researching the charity using services like CharityNavigator.org

Always remember that Medicare/Medicaid and Social Security will never call you! The legitimate organizations do things through the mail. If you receive a call and are unsure whether or not it is from a legitimate source, it is always a good idea to hang up, look up the organization that the caller was claiming to represent, and call them back yourself. Never use a number or URL provided to you.

Scammers are ready and willing to take advantage of the stimulus checks being sent out to qualifying Americans. If anyone calls you to collect your information, claiming that they need the information to send you your stimulus check, do not give it to them! Government aid packages are sent out automatically. If your information is not on file with the IRS (if you didn't file 2018 or 2019 taxes), Turbo Tax has provided a free portal where you can provide the IRS with your information. You can find the service at https://turbotax.intuit.com/stimulus-check/?PID=100024933&SID=35871X943606X7059cf8cdfa7c21a92b0733c887087f0&cid=all_cj_tto-100024933_int&ref_id=2a40260e7a6011ea81f2006c0a1c0e0d_701505347570453813%3AxVv

[7vi1AHyY2](#). If you do not receive an automatic payment, paper checks will be sent out at a later date.

Finally, there are no known cures or treatments for COVID-19. Be wary of scammers trying to sell phony cures or preventative measures. Also, if you find someone selling Personal Protective Gear or supplies at an unfairly inflated or an unrealistically low price, don't buy them! Price-gouging (selling an item at an unfair price) is illegal, and many of the products sold by these individuals are faulty, dangerous, or non-existent.



Figure 6: The Key Hole, Gates of the Mountains Wilderness

Until Next Time That's all for now.

The next newsletter will be sent out in July of 2020. If you need to contact the Senior Financial Defense Grant 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.