

Resources on Elder Abuse/Elder Financial Exploitation

RESOURCES FOR CLIENT/CONSUMER EDUCATION

Dalton, M.A., & Langdon, T.P. (2016). *Estate planning* (9th ed.), St. Rose, LA: Money Education.

Elder Justice Coalition has member from the following organizations: National Adult Protective Services Association, National Association of State Units on Aging, National Committee for the Prevention of Elder Abuse, National Association of State Long-Term Care Ombudsman Programs, and the National Academy of Elder Law Attorneys.
<https://www.elderjusticecoalition.com/>

Administration for Community Living, USDHHS, ACL advocates across the federal government for older adults, people with disabilities, and families and caregivers; funds services and supports provided primarily by states and networks of community-based programs; and invests in training, education, research, and innovation. We manage a variety of programs (authorized by several statutes), providing assistance on health and wellness, protecting rights and preventing abuse, supporting consumer control, strengthening the networks of community-based organizations, funding research, and much more. It was created around the fundamental principle that older adults and people of all ages with disabilities should be able to live where they choose, with the people they choose, and with the ability to participate fully in their communities.
<https://acl.gov/programs>, <https://elderjustice.acl.gov/>

National Center for Elder Abuse, Administration for Community Living, USDHHS
<https://ncea.acl.gov/> The NCEA provides the latest information regarding research, training, best practices, news and resources on elder abuse, neglect and exploitation to professionals and the public. First established by the U.S. Administration on Aging (AoA) in 1988 as a national elder abuse resource center, the NCEA was granted a permanent home at AoA in the 1992 amendments made to Title II of the Older Americans Act.

The NCEA is one of 27 Administration on Aging-funded Resource Centers. Research shows that as many as two million elders are abused in the United States. The Administration on Aging recognizes that as a government, as a society and as individuals, we must increase our efforts to ensure that all older adults age with dignity and honor.

National Resource Center on Women and Retirement Planning, the [Administration on Aging](#) (a part of the Administration for Community Living since 1998) has awarded a competitive grant to the Women's Institute for a Secure Retirement (WISER) for the design, execution and maintenance of the National Resource Center on Women and Retirement Planning. [Download a fact sheet](#) about the resource center.

The Center provides a one-stop gateway that integrates financial information, tools and resources on retirement planning for women and families to improve their financial health and avoid financial exploitation. Information and training are offered through model programs, workshops, and materials tailored to meet women's needs and help them build long-term financial security. The core of the Center's work is the direct impact we have on women in communities across the country. Every year, WISER reaches tens of thousands

RESOURCES ON ELDER ABUSE/ELDER FINANCIAL EXPLOITATION

Dr. Virginia Vincenti, University of Wyoming

of women with our workshops, trainings, print and electronic materials, and website. We accomplish this work through strategic partnerships. [Learn more](#) about some of our local and national partners and projects. <https://www.wiserwomen.org/index.php?id=38> [A Simple Guide to What Everyone Needs to Know About Money & Retirement](#) provides information on money and retirement. It is also available in [Spanish](#), [Portuguese](#), [Korean](#), and [Vietnamese](#).

The Consumer Financial Protection Bureau. The aim of CFPB is to make consumer financial markets work for consumers, responsible providers, and the economy as a whole. CFPB protects consumers from unfair, deceptive, or abusive practices and take action against companies that break the law. CFPB arms people with the information, steps, and tools that they need to make smart financial decisions. The following links of CFPB offers more specific information.

<https://www.consumerfinance.gov/consumer-tools/managing-someone-elses-money/>
<https://www.consumerfinance.gov/practitioner-resources/resources-for-older-adults/>
https://files.consumerfinance.gov/f/documents/cfpb_msem_power-of-attorney_guide.pdf
https://files.consumerfinance.gov/f/documents/cfpb_msem_help-for-trustees_guide.pdf
<https://www.consumerfinance.gov/practitioner-resources/resources-for-older-adults/financial-security-as-you-age/>

County Adult Protective Services (APS) ensures the safety & well-being of elders & dependent adults in a community setting. APS are agencies that provide protective social services to elderly adults (typically those age 60 or 65 and older) as well as vulnerable adults (typically those with serious disabilities). APS agencies are the adult equivalent to Child Protective Services (but less well funded) and play a critical role in combating elder abuse or the abuse of other vulnerable adults. Such abuse can include neglect, physical abuse, sexual abuse, emotional or psychological abuse, abandonment, or financial abuse.

<https://elder.findlaw.com/elder-abuse/adult-protective-services-what-you-need-to-know.html>; <http://www.napsa-now.org/get-help/help-in-your-area/>

Private attorneys, especially elder attorneys

American College of Trust and Estate Counsel (ACTEC) is a nonprofit association of lawyers & law professors skilled & experienced in the preparation of wills and trusts; estate planning; probate procedure & administration of trusts & estates of decedents, minors & incompetents. Consumers can search for member attorneys in specific geographic locations.

<https://www.actec.org/fellows/directory/>

Martindale-Hubbell's national website is a respected source of attorney reviews by peers & clients
<https://www.martindale.com/find-attorneys/>

State bar associations typically have attorney directories & may have some review information:
<http://hirealawyer.findlaw.com/choosing-the-right-lawyer/state-bar-associations.html>

Stiegel, J.D. (2008). Durable Power of Attorney Abuse. American Bar Association. Retrieved from <https://ncea.acl.gov/NCEA/media/docs/Durable-PofA-Abuse-FactSheet-Criminal-Justice-Professionals.pdf>

RESOURCES FOR LEGAL PROFESSIONALS

The **ACL Office of Elder Justice and Adult Protective Services (OEJAPS)** provides grants to states to support the development of systems and programs that prevent abuse from happening, protect people from abusive situations, support people who have experienced abuse to help them recover, and preserve and promote their independence, choice, and financial security. Over the years, ACL's elder justice programs have provided numerous grants to states and communities. <https://elderjustice.acl.gov/>

Berson, S.B. (2010). Prosecuting elder abuse cases. Retrieved from https://www.eapu.com.au/uploads/research_resources/VIC-Financial_Elder_Abuse_Evidence_Review_JUN_209-Monash.pdf

Culley, D.T., & Sanders, H. (2010). Exploitation and abuse of the elderly during the Great Recession: A Maine practitioner's perspective. *Maine Law Review*, 62(2), 430-51.

Dalton, M.A., & Langdon, T.P. (2016). *Estate planning* (9th ed.), St. Rose, LA: Money Education.

DeLiema, M., Navarro, A. E., Moss, M., & Wilber, K. H. (2016). Prosecutors' perspectives on elder justice using an elder abuse forensic center. *American Journal of Criminal Justice*, 41(4), 780-795. doi:10.1007/s12103-015-9321-7

Department of Justice, Online Elder Abuse Training for Legal Services Providers, justice.gov/elderjustice/practitioner

Hannah, J. M. (2016). Financial abuse of the dependent elder: A lawyer's ethical obligations. *Family Law Quarterly*, 50(1), 117. This article highlights how family lawyers who draft documents that transfer title to property, transfer control over financial accounts, or make testamentary dispositions, should take the lead in helping vulnerable seniors avoid financial disasters.

MetLife Mature Market Institute, National Committee for the Prevention of Elder Abuse, & Center for Gerontology at Virginia Polytechnic Institute and State University. (2011). The MetLife study of elder financial abuse: Crimes of occasion, desperation, and predation against America's elders. Retrieved from <https://ltcombudsman.org/uploads/files/issues/mmi-elder-financial-abuse.pdf>

National Adult Protective Services Association <https://www.napsa-now.org/> is a non-profit 501 (c) (3) organization with members in all fifty states to provide Adult Protective Services (APS) programs a forum for sharing information, solving problems, and improving the quality of services for victims of elder and vulnerable adult mistreatment. Its mission is to strengthen the capacity of APS at the national, state, and local levels, to effectively and efficiently recognize, report, and respond to the needs of elders and adults with disabilities who are the victims of abuse, neglect, or exploitation, and to prevent such abuse whenever possible. To achieve its mission it: 1) Partners with many diverse organizations to provide a cohesive network of research, practice and policy to meet the diverse needs of the ever-changing population of vulnerable adults. 2) Actively conducts national research on topics such as APS training activities, services to self-neglecting adults, and national APS data collection and partnering with academic researchers on elder and vulnerable adult mistreatment studies. 3) Hosts an annual conference and a national summit on financial exploitation featuring nationally known and respected professionals who share their

RESOURCES ON ELDER ABUSE/ELDER FINANCIAL EXPLOITATION

Dr. Virginia Vincenti, University of Wyoming

expertise on cutting-edge issues applicable to APS practice and other disciplines. Works to increase national awareness of elder and vulnerable adult mistreatment through education, advocacy, and congressional testimony.

The National Center on Law & Elder Rights (NCLER) is a national resource center for the legal services and aging and disability networks, focused on the legal rights of older adults. Providing webcasts, trainings, written materials, and case consultations, NCLER is a one-stop resource for professionals serving older adults with the greatest economic and social needs. NCLER is administered by Justice in Aging in partnership with the National Consumer Law Center and the ABA Commission on Law & Aging, under contract with the Administration for Community Living's (ACL) Administration on Aging. <https://ncler.acl.gov/>

Mukherjee, D. (2013). Financial Exploitation of Older Adults in Rural Settings: A Family Perspective. *Journal of Elder Abuse & Neglect*, 25:425–437.

Stiegel, Lori A. (Summer 2012). An Overview of Elder Financial Exploitation. *Generations*. San Francisco Vol. 36 (2): 73-80. <https://search-proquest-com.libproxy.uwyo.edu/docview/1351549870/fulltextPDF/48503E190B694B09PQ/1?accountid=14793>

Stiegel, L. A., & Klem, E. V. (2008). *Power of attorney abuse: What states can do about it*. Washington, DC: AARP Public Policy Institute. Retrieved from https://assets.aarp.org/rgcenter/consume/2008_17_poa.pdf

XinQi Dong, Ed. (2017). *Elder Abuse: Research, Practice and Policy*. Switzerland. Springer International Publishing AG.

Elder Justice Coalition has member from the following organizations: National Adult Protective Services Association, National Association of State Units on Aging, National Committee for the Prevention of Elder Abuse, National Association of State Long-Term Care Ombudsman Programs, and the National Academy of Elder Law Attorneys. <https://www.elderjusticecoalition.com/>

ACADEMIC RESOURCES FOR MORE INFORMATION

Acierno, R., Hernandez-Tejada, M., Muzzy, W., & Steve, K. (2009). *National Elder Mistreatment Study*. Retrieved from <https://www.ncjrs.gov/pdffiles1/nij/grants/226456.pdf>

Acierno, R., Hernandez, M. A., Amstadter, A. B., Resnick, H. S., Steve, K., Muzzy, W., & Kilpatrick, D. G. (2010). Prevalence and correlates of emotional, physical, sexual, and financial abuse and potential neglect in the United States: The national elder mistreatment study. *American Journal of Public Health*, 100(2), 292-297. doi:10.2105/AJPH.2009.163089

Darzins, P., Lowndes, G., & Wainer, J. (2009, June). Financial abuse of elders: A review of the evidence. Retrieved from <http://www.eapu.com.au>

Deane, S. (2018). Elder Financial Exploitation: Why it is a concern, what regulators are doing about it, and looking ahead. Retrieved from <https://www.sec.gov/files/elder-financial-exploitation.pdf>

RESOURCES ON ELDER ABUSE/ELDER FINANCIAL EXPLOITATION

Dr. Virginia Vincenti, University of Wyoming

- Gunther, J. (2011). The 2011 Utah economic cost of elder financial exploitation. Retrieved from <http://victimsocrime.org/docs/default-source/financial-fraud/2011-economic-cost-of-financial-exploitation.pdf?sfvrsn=2>
- Huang, Y., & Lawitz, A. (2016). The New York state cost of financial exploitation study. New York State Office of Children and Family Services. Retrieved from <https://ocfs.ny.gov/main/reports/Cost%20of%20Financial%20Exploitation%20Study%20FINAL%20May%202016.pdf>
- Kasser, T., Cohn, S., Kanner, A.D., & Ryan, R.M. (2007). Some costs of American corporate capitalism: A psychological exploration of value and goal conflicts. *Psychological Inquiry*, 18(1), 1-22.
- Lachs, M. & Berman, J. (2011). Under the Radar: New York State Elder Abuse Prevalence Study Final Report. Retrieved from <http://ocfs.ny.gov/main/reports/Under%20the%20Radar%2005%2012%2011%20final%20report.pdf>
- Lachs, M., Pstay, I.F., Pstay, I.R., Berman, J., Caccamise, P.L., Cook, A.M. ... Shukoff, D. (2011). Under the radar: New York State elder abuse prevalence study. Retrieved from <http://ocfs.ny.gov/main/reports/Under%20the%20Radar%2005%2012%2011%20final%20report.pdf>
- Lichtenberg, P.A. (2016). Financial exploitation, financial capacity, and Alzheimer's Disease. *American Psychologist*, 71(4), 312-320.
- Roberto, K.A., & Teaster, P.B. (2017). Theorizing elder abuse. In X. Dong (Ed.), *Elder abuse: Research, practice, and policy* (p. 21-41). New York: Springer.
- Stum, M. S. (1999). "I just want to be fair": Interpersonal justice in intergenerational transfers of non-titled property. *Family Relations*, 48(2), 159- 167.
- Stum, M.S., Kilderia, R., Peterson, M. (2017). When it's family: Examining entitlement as a risk factor for elder financial exploitation. *Innovation in Aging*, 1(1), 366-375. <https://doi.org/10.1093/geroni/igx004.1334>
- Thomas, D. (2014). The Wyoming cost of financial exploitation 2011, 2012 and 2013. Cheyenne, WY: Department of Family Services. Retrieved from <http://www.nasuad.org/sites/nasuad/files/Wyoming%20Cost%20of%20Financial%20Exploitation%20FINAL%202011-13.pdf>
- The True Link Report on Elder Financial Abuse. (2015). Retrieved from <http://documents.truelinkfinancial.com/True-Link-Report-On-Elder-Financial-Abuse-012815.pdf>

Revised 1/28/20