

Issue #3

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 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.



Figure 1: Into the Blue, Hearth Lake, Lincoln MT

This is the 3rd 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.

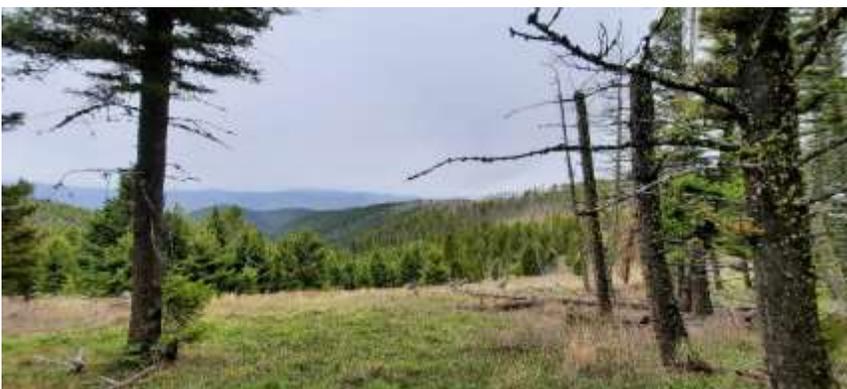


Figure 2: A Break from the Rain, Big Belts, Townsend MT

Outreach Events or Activities

While we didn't do much public-facing outreach this quarter, we did participate in a few activities that will hopefully expand our reach and enhance our ability to serve victims and potential victims alike.

The first event was a subcommittee meeting for the Eastern Montana Elder Justice Commission. This allowed us to see how the committee and subcommittees function, what type of issues they focus on, and what future groups like the EMEJC might look like in our area.

Since attending the meeting, our Project Coordinator, Richard Heitstuman, has applied to and been approved to join the North Central Montana Elder Justice Committee, a new committee being formed by the Governor's office. If anyone is interested in joining such a committee in their area, please contact Project Coordinator, Richard Heitstuman, for more information on how to apply.

Staff members attended an accessibility training from MonTech, an adaptive technology organization here in MT that assists individuals who have issues accessing traditionally available resources. The training focused on improving publicly available resources so that they are more accessible for those with disabilities or impairments.



Figure 3: On the Way to the Lake, Heart Lake, Lincoln MT

Clinics Our Helena Clinic is in the books! We served 34 individuals, 92.3% of which were “extremely satisfied” with the service, while the rest were “satisfied.” We did have four reports of being or knowing a victim of financial exploitation, but no contact information was provided at the time of the clinic. 100% of volunteers were “extremely satisfied” with the clinic experience.

Our Helena training was on the smaller side, with only five professionals attending. Pre and post testing showed an increase in comprehension of 19.82%.

We also completed the Frenchtown clinic, serving 27 individuals, 85% of which were “extremely satisfied” with the clinic, while the rest were “satisfied.” Again, we had four individuals report being or knowing a victim of financial exploitation, but nobody provided contact info on the day of the clinic. 87.5% of volunteers were “extremely satisfied” while the rest were “satisfied.”

The Frenchtown training saw seven attendees and pre and post testing showed an increase in comprehension of 11.25%.

We have made some improvements to our clinic document templates, namely the Power of Attorney forms for Healthcare and Finances. We have created separate forms for both the Healthcare and the Financial POA, one that uses springing language and one that does not. In this way, we were able to remove a clause that was causing some confusion. Our newer, more comprehensive forms should help us serve Montana seniors even more efficiently.

Lastly, but not least...ly, we are excited to inform you that we have added another hour of training (and accreditation) to our “Working with Older Adults: Capacity, Exploitation, and Reporting” training series. Barb Harris from Montana Legal Services Association has joined our training team, teaching Montana’s professionals about MLSA and the Victim Legal Assistance Network. Our trainings are now held the day before each legal clinic from 2pm -5pm and provide learners with some great, actionable information as well as three hours of CLE, CEU, and NCH credits, for attorneys, social workers, and nurses, respectively.

Lunchtime Training Series Our training series, aimed at senior advocates across Montana, is still cranking along (mostly) weekly! Since our last newsletter, we have hosted the following trainings:

- “Financial Exploitation” by Richard Heitstuman
- “Office of Consumer Protection” by Emily Nichols
- “The Ombudsman Program” by Carmen Sciabica
- “ID Theft Recovery Tool” by Richard Heitstuman
- “Alzheimer’s and Dementia” by Susan Gobbs
- “Montana Legal Services Association” by Alex Clark and Jami Campbell
- “The 10 Signs of Alzheimer’s” by Susan Gobbs
- “Understanding Alzheimer’s and Dementia” by Susan Gobbs
- “Mental Health of America of Montana” by Shellie Aune
- “Legal and Financial Planning for Caregivers, Pt. 1” by Susan Gobbs
- “Legal and Financial Planning for Caregivers, Pt. 2” by Susan Gobbs



Figure 4: Elk being Elk, Big Belts, Townsend MT

The training by Susan Gobbs focusing on Alzheimer's and Dementia is being hosted in conjunction with the Alzheimer's Association. We appreciate their willingness to provide training materials on this important topic for seniors, especially given dementia's relationship to exploitation, abuse, and neglect.

One of our trainees shared our ID Theft Recovery Tool with an out-of-state friend. They reported that the tool helped them find resources in their own community. While this certainly wasn't a use we envisioned when creating the tool, we are very excited that it was able to help them! It is a great reminder that our efforts have far-reaching effects.

Finally, our training webpage has been revamped to provide a better user experience when looking for specific trainings. We have grouped trainings under subject headings, making it much easier to find what you're looking for. Check out our training page for more information: <https://dphhs.mt.gov/sltc/aging/legalservicesdeveloper/Training>.



Figure 5: The Blue Through the Green, Heart Lake, Lincoln MT

Grant Updates We have made updates to both the ID Theft Recovery Tool and the Money Mule Scam Factsheet. Updated versions will be available on our website in the future, so be sure to keep your eye out for them. As always, if you would like a copy before then, just reach out to Project Coordinator Richard Heitstuman.

We are in the process of creating a new position under the Senior Defense Grant, the Victim Legal Services Specialist. This position will allow us to provide more direct services to victims, e.g. legal assistance for victims referred to us by Adult Protective Services. It is our hope to assist victims with estate planning services vital to stopping financial exploitation before it progresses to an unrecoverable level.

Grant Partners Along our senior services journey, we have the distinct privilege to work with amazing partner organizations and the employees that represent them. We are very pleased to be working with Mike Fanning, the new Elder Justice Prosecutor from the AG's office. Mike is currently looking to hire an investigator so he can start prosecuting financial exploitation crimes in Montana. We have already collaborated with him on multiple cases, and he has proved to be very motivated to help Montana's victims. We look forward to Mike taking on criminals that prey on older adults.

Advocacy We worked on an advice case involving an attorney who wanted information about banks' responsibility w/ regards to preventing exploitation. With the help of Jennell Huff, we were able to direct the attorney to the relevant Montana codes. While the law encourages and protects those bank employees who intervene in suspected exploitation cases, it does not require any actions from the bank to ensure that no exploitation has taken place. Requiring such actions would be a big ask of bank employees who may not have a relationship with every customer who walks through the door. Still, we highly encourage financial professionals to educate themselves on the signs of financial exploitation. We invite financial professionals from each community we visit to attend our "Working with Older Adults: Capacity, Exploitation, and Reporting" trainings and hope they leave feeling empowered to report their suspicions and place holds on those transactions that raise alarms.



Figure 6: An Overcast Overlook, Big Belts, Townsend MT

We received an exploitation case from an Area Agency on Aging in which an older adult needed to revoke a Power of Attorney for Finances, and in a hurry. While we hope to get referrals far before this point in a case, we do try to do everything we can to provide services as fast as possible in these situations.

We also had a bit of a heartbreak where a client reached out to us for help with ID Theft Recovery, but after becoming frustrated with the process, they decided to seek help with a bankruptcy instead. This case, while hard for us to take, does teach us a little more about how these cases can go wrong, specifically how daunting some of these tasks we give to seniors can be. Because we do not have the resources to take these steps for the victim, perhaps we need to examine how we ask victims to go about completing these steps. For instance, while calling credit reporting companies has always been the preferred method for most older adults that contact us, perhaps requesting reports online would have made this case more successful.

The State of Affairs Contractor scams have been rearing their ugly heads again in Montana as of late and it is important to know what steps to take to avoid being a victim of such a scam. While we often think of these scams as a crooked contractor making off with a check without rendering services, it is important to remember that some of these crooks are very adept at exploitation through legal, yet very immoral sales practices. It can be extremely difficult for prosecutors to create a case against organizations that may be targeting seniors, charging too much, providing unsatisfactory work, etc., if they are doing so through legal

means. High pressure sales tactics, while unethical at their base, are not illegal and are unfortunately utilized by unscrupulous contractors.

Pro Tip = Always, always, always get multiple bids on a project. Don't assume that contractors have the proper licenses and insurances, but rather ask them to provide proof and verify their proof. Always look up a company with the Office of Consumer Protection and the Better Business Bureau. Don't assume a good rating with the BBB means that a company is well reviewed. Be sure to read reviews and consider the experiences of those who have worked with the company in the past.



Figure 7: Riding the Storm Out, Heart Lake, Lincoln MT

Until Next Time That's all for now. The next newsletter will be sent out in October of 2022. 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.