

Issue 11

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: Top of the 'Fridge, Big Belt Mountains, Nelson, MT



This is the 11th 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 and Training Our training series for senior advocates continues! This quarter, we hosted trainings on topics like using “MT’s File Transfer Service,” “Powers of Attorney vs. Guardianships,” “Estate Planning 101,” “Social Security 101,” “Working with Adults with Disabilities – Communication,” “Supported Decision Making,” and “Elder Law Resources.” These trainings are attended by employees of MT’s Area Agencies on Aging, Ombudsman, APS workers, and advocates from all over the state. They are typically posted to our DPHHS website, but it is currently undergoing a major makeover. Once we are able to post



Figure 2: The Peanut Gallery, Big Belt Mountains, York, MT

again, these and all other trainings will be posted for public access. If you would like to be added to our invite list, please reach out to klovell@mt.gov. Shout out to Savage Consulting, who reached out to request invites to the training series. Welcome aboard!



The Legal Services Developer Program and the Senior Financial Defense Grant was featured at an elder abuse conference in Lake County. Information about our program was shared, and we were mentioned as a resource for seniors in Montana.

Our fearless leader, Katy Lovell, gave a speech at this year's Elder Abuse Awareness Day event, hosted by the Bank of the Rockies, alongside the Attorney General and the Governor. Her speech spoke to the work this grant project and the Legal Services Developer Program does for seniors in our state, what resources are available, and how we can help.

In addition to the standard radio, newspaper, and TV ads we run for our legal clinics and trainings, grant staff has done radio interviews for our Lewistown and Deer Lodge events. Although the ads that these stations run are informative and effective, it always helps to hear the message "straight from the horse's mouth."

Kelly Moore Memorial Document Clinics Clinic season is off to great start! As you know, the Senior Financial Defense Grant hosts legal clinics throughout Montana, attempting to get to rural, more isolated locations as well as to larger, more metropolitan cities. At the clinics, we help seniors, age 60+, or any enrolled tribal member, completed their estate planning documents. This process allows us to provide legal financial protections for seniors. It also allows us to screen seniors for financial exploitation, a crime that is underreported and one that seniors may be hesitant to report otherwise. To date this year, we have hosted three clinics, one remote and two in-person.

Figure 4: The Flowers, Nevada Mountains, Avon, MT



Our first was a remote clinic hosted with the help of the Alexander Blewitt III's Pro Bono Program and many great student volunteers. We helped 13 seniors complete their custom estate planning packages, including documents like Wills, Powers of Attorney, and Declarations of



Figure 5: The Director, Makoshika State Park, Glendive, MT

Homestead. Because it was a non-traditional clinic, we did not have a traditional training associated with it. Instead, Kate Seaton from MLSA and our staff attorney, Susan Gobbs, taught students the basics of estate planning and broke down how to draft an Indian Will.

Our next clinic was in Lewistown and was hosted live at the Yogo Inn. We completed estate planning packages for 19 seniors and we were able to train 17 local professionals on how to work with adults with capacity issues, look for signs of exploitation, and report suspected abuses.

The next clinic was hosted at the Powell County Community Center in Deer Lodge. Big thanks to Powell County who let us use the space free of charge! Also, thank you Dona Schlueter from the Travel Lodge. Not only did they help out our group with lodging, but she went above and beyond to help secure a location and catering for our event, making our lives very easy. At the clinic, we provided 20 seniors with estate planning packages and trained 10 local professionals.

Analysis of the clinic evaluations showed that 82% of Lewistown attendees were “extremely satisfied,” 18% were satisfied. 100% of Deer Lodge attendees reported being “extremely satisfied.”



Figure 6: Atop the Divide, MacDonald Pass, Nevada Mountains Helena, MT

Although the worst of the pandemic appears to be behind us, Covid-19 is still on everyone’s minds. We are no longer screening clinic attendees for fevers or requiring masks, although

they are still available for all attendees and volunteers. Our core staff have all been vaccinated, and we have signage offering to wear masks upon anyone's request. We still have hand sanitizer available throughout the clinic and training venue and we attempt to keep the space as clean as possible throughout the events.

Figure 7: Mountain Goat, Refrigerator Canyon, Big Belt Mountains, Nelson, MT



In the spirit of public safety, we have also created a safety protocol to be posted and shared at events to inform attendees, volunteers, and staff on the proper steps to take in case of emergencies like fires, active shooters, earthquakes, and more. We are happy to share this and all tools created by the Senior Financial Defense Grant. Simply contact Richard.heitstuman@mt.gov for copies.

Major Projects

We are continually working to improve our resources and tools. While our website is undergoing improvements, we took the opportunity to update some of our online forms. We removed the springing language clause from the online POA forms and instruction forms. We also added a disposition of remains clause to our online Will forms.

Our AmeriCorps members Akemi Nakagawa and Katherine Feehan have been hard at work updating our participant and volunteer packets, ensuring they contain the most current examples and forms.

The SFD Grant created a tipsheet explaining what a Power of Attorney is, what it does, and what its limitations are. It is full of definitions, examples, and useful tools to make POAs more accessible for senior advocates. We believe a better understanding of these documents will put professionals in a better position to spot signs of POA assisted financial exploitation. We hope to post it soon, but please reach out if you would like a copy!

Updates on Sponsors

Figure 8: The Farm, Plentywood, MT



a very important partner, supplementing our grant when we need something our funds can't cover, like refreshments

for volunteers/staff and much more. We thank them for their continued support of our program!

We did have a few other helpers this season. In Lewistown, the Yogo Inn offered discounted rental rates, as they recognized the value we were bringing to their community. In Deer Lodge, the Powell County Commissioners allowed us to use the rental space for free and also helped get the word out about the event. Dona Schlueter from the Travel Lodge not only organized lodging for our group but also helped secure the clinic location as well as helped organize and pay for our catering. We are eternally grateful for Montana's many helpful folks and businesses!

Our partners from the Office of Consumer Protection have sent us new materials for 2021. They have been and will continue to be shared with clinic attendees to increase the knowledge of important resources. AARP has also sent us a fresh batch of hand outs, fliers, and trinkets to help get the word out about senior resources.



Figure 9: Cap Rocks, Mikoshika State Park, Glendive, MT

Advocacy Cases Although we don't receive a huge amount of exploitation reports, the ones we do are handled with great care to ensure the right agencies and advocates are involved. In one case this quarter, a senior called us about credit card fraud. A scammer stole the senior's credit card number, took out a cash advance, then deposited it in the senior's bank account and sent the money to someone else via wire transfer. Although the senior reported the fraud, because the money was deposited in the senior's account, then paid out, the CC company and the bank are denying the claims. We shared a list of organizations that



Figure 10: Mule Deer, Big Belt Mountains, York, MT

regulate the banking industry as well as more general ID theft resources. We also ensured that the senior had taken the correct steps to freeze their credit and bank accounts, reported to the proper organizations (like the FTC), changed passwords, etc.

In another case, a senior's identity was stolen and fraudulent charges were made using their credit card. The senior did not notice the discrepancies, and although the credit card company tried to notify them of the fraud, the senior's address was not current and they did not find out about the fraud until after the 60 day window specified by the Electronic Funds Transfer

Act. The senior had taken all other steps required to end and prevent future ID theft and had appealed the credit card company's decision not to correct the charges. We shared resources that regulate the credit card industry and encouraged her to stay in contact with the CC company as they made their decision. We also suggested future tactics to protect one's finances, like our Financial Recording Table, online banking, and more.

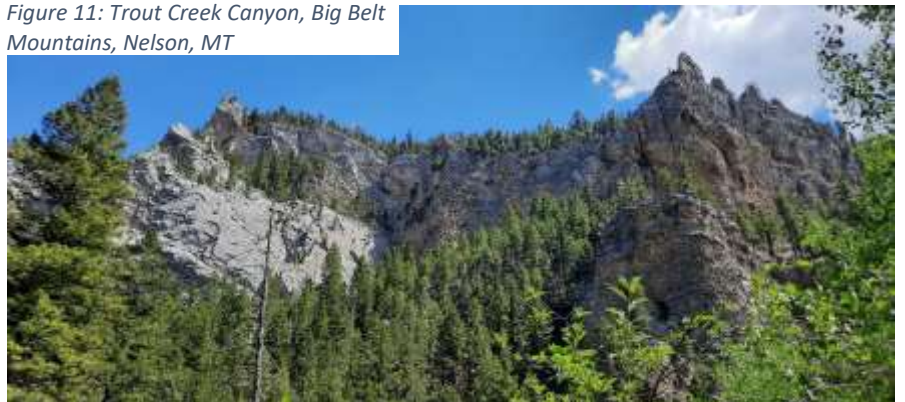
The State of Affairs

Our program received a copy of a scam letter that was circulating in Eastern Montana around the time we were hosting our Miles City and Glendive clinics. The scam is being circulated by the "National Counsel for Survivors," a non-profit lobbying organization registered as a charity in New Jersey. Although this organization claims to lobby and fight on behalf of seniors, their website and representatives have a hard time pointing to any specific lobbying effort, much less success.

In the scam, the NCS, part of the "American Service Counsel," warns seniors about an attack on their social security by "the big five." Who are the big five? The scam doesn't even attempt to identify them, it just insists that Social Security is under attack and that the senior needs to send in a donation and fill out a ballot to help combat these attacks. This scam is especially heinous because it focuses on Social Security recipients, especially those that depend on it as their sole income. The more important a resource, the more the senior is willing to give to protect it.

Pro Tip = Always check out charities before you donate. Sometimes, like in the case of the NCS scam, the organization is a legitimate looking charity. A little research into how they use their funds revealed that very little of what they bring in goes to lobbying efforts, what

Figure 11: Trout Creek Canyon, Big Belt Mountains, Nelson, MT



lobbying was done was ineffective, and that this scam has been circulating, largely unchanged, for many years and in many locations around the country.

Until Next Time That's all for now. The next newsletter will be sent out in October of 2021. 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.