

ELDER JUSTICE REFORM EFFORTS IN PENNSYLVANIA

27th Annual National Adult
Protective Services Association
Conference

PANELISTS

- Teresa Osborne, Secretary
Pennsylvania Department of Aging
- Honorable Paula Francisco Ott, Chair
Advisory Council on Elder Justice in the Courts
- Zygmunt A. Pines, Esq., Co-Chair
Advisory Council on Elder Justice in the Courts
- Cherstin Hamel, Director
Office of Elder Justice in the Courts

PRESENTATION OBJECTIVES

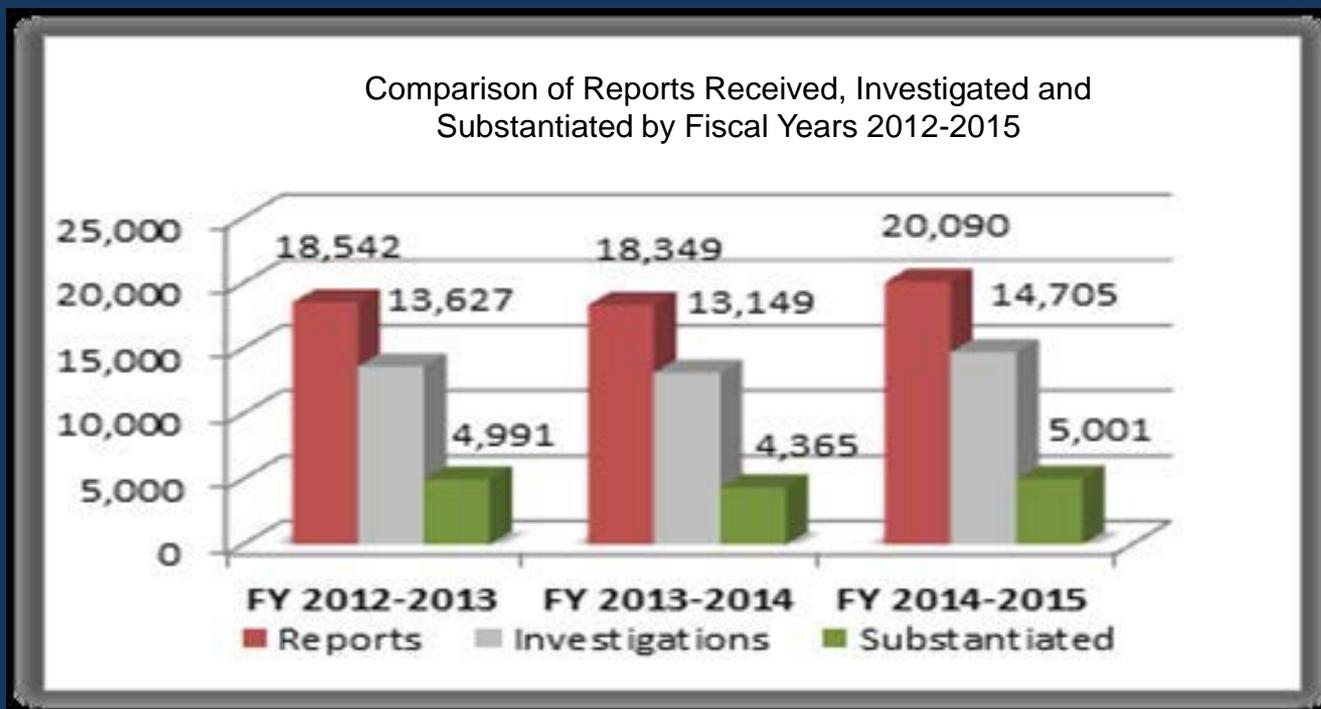
- Provide Information Regarding Pennsylvania's Elder Justice Reform Efforts
- Discuss Steps Pennsylvania is Taking to Help Recognize, Report and Respond to Elder Abuse
- Identify Reform Efforts and Promising Practices Other States are Using to Address Elder Abuse and Financial Exploitation

U.S. CENSUS DATA ON PENNSYLVANIA

- As of July 1, 2015, More Than One in Six Pennsylvania Residents Were Aged 65 Years and Over (Nearly 2.2 Million)
- Pennsylvania Ranked Sixth Nationally in Persons Aged 65 Years and Over in 2015

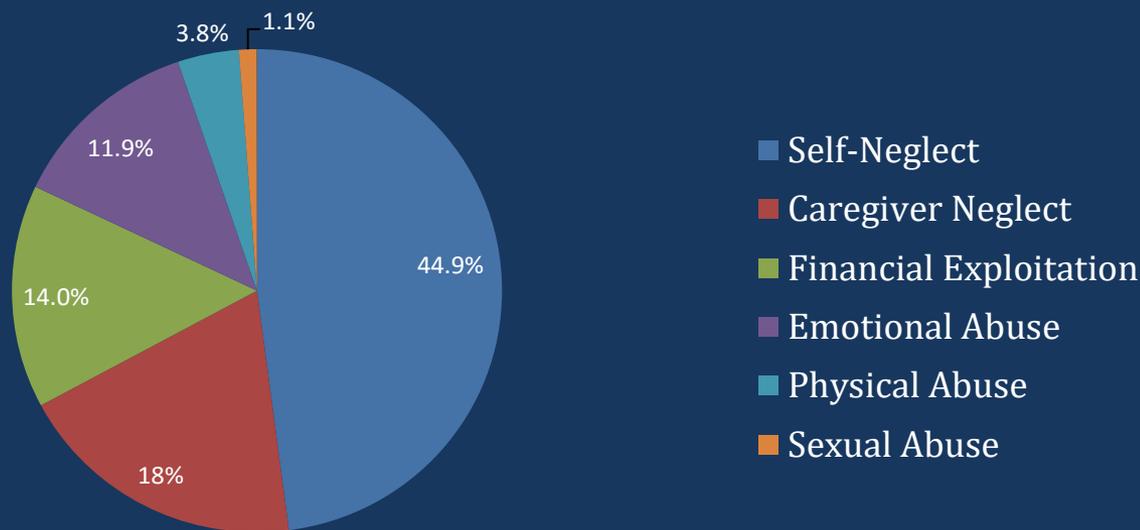
Penn State Data Center
Research Brief, June 23, 2016

PA DEPARTMENT OF AGING SUBSTANTIATED TYPES OF ABUSE FY 2012-2015



PA DEPARTMENT OF AGING SUBSTANTIATED TYPES OF ABUSE IN FY 2014-2015

What Types of Abuse are Occurring?



ELDER FINANCIAL ABUSE AND EXPLOITATION

Senior Financial Abuse and Exploitation
Costs Americans \$36.48 Billion Per Year

(truelinkfinancial.com, January 28, 2015)

ELDER FINANCIAL ABUSE AND EXPLOITATION

- Theft or Diversion of Funds or Property by Family Members – 79%
- Theft or Diversion of Funds or Property by Caregivers – 49%
- Financial Scams Perpetrated By Strangers – 47%

Investor Protection Trust Survey Data on
Elder Financial Fraud/Exploitation (2012)

PENNSYLVANIA DEPARTMENT OF
AGING'S
ELDER JUSTICE REFORM EFFORTS

ELDER LAW TASK FORCE'S ELDER JUSTICE REFORM EFFORTS

- Why the Elder Law Task Force Was Formed
- Membership of the Elder Law Task Force
- Mission of the Elder Law Task Force

ELDER LAW TASK FORCE'S ELDER JUSTICE REFORM EFFORTS

- Work of the Elder Law Task Force: Report and Recommendations
- Applicability of the Elder Law Task Force's Recommendations to Younger Adults With a Disability

IMPLEMENTATION OF THE ELDER LAW TASK FORCE'S RECOMMENDATIONS

Office of Elder Justice in the Courts (OEJC)

- Purpose of the OEJC
- Contact:
Cherstin Hamel, Director
cherstin.hamel@pacourts.us
(717)231-3300

IMPLEMENTATION OF THE ELDER LAW TASK FORCE'S RECOMMENDATIONS

Advisory Council on Elder Justice in the Courts

- Purpose of Advisory Council
- Advisory Council Membership

IMPLEMENTATION OF THE ELDER LAW TASK FORCE'S RECOMMENDATIONS

- Getting the Word Out About the Recommendations
- Establishing Elder Justice Collaborations

STEPS PENNSYLVANIA IS TAKING
TO HELP RECOGNIZE, REPORT
AND RESPOND TO ELDER ABUSE

PENNSYLVANIA DEPARTMENT OF
AGING'S ELDER ABUSE
PREVENTION EFFORTS

ADVISORY COUNCIL ON ELDER JUSTICE AND THE COURTS' ELDER ABUSE PREVENTION EFFORTS

- Elder Abuse Bench Card for Judges
- Elder Abuse Trainings for Judges

ADVISORY COUNCIL ON ELDER JUSTICE AND THE COURTS' ELDER ABUSE PREVENTION EFFORTS

- Trainings for Family/Lay Guardians and Guardianship Service Providers (Attorneys, Health Care Institutions and Financial Institutions)
- Elder Investment Fraud & Financial Exploitation Prevention Program - Legal

ADVISORY COUNCIL ON ELDER JUSTICE AND THE COURTS' ELDER ABUSE PREVENTION EFFORTS

- Preservation of an Elder Victim's Testimony (PA Crim. Procedural Rule 500)
- Documentation of an Elder Victim's Age on the Criminal Complaint by Police

ADVISORY COUNCIL ON ELDER JUSTICE AND THE COURTS' ELDER ABUSE PREVENTION EFFORTS

- Considering Certification and Bonding of Guardians
- Creation of Statewide Guardianship Forms

ADVISORY COUNCIL ON ELDER JUSTICE AND THE COURTS' ELDER ABUSE PREVENTION EFFORTS

- Development of Interdisciplinary Teams/
Collaborations with Local Elder Abuse Task
Forces
- Proposal for Establishing Emeritus Bar
Admission Status for Pro Bono Legal Services
for Elders

ADVISORY COUNCIL ON ELDER JUSTICE AND THE COURTS' ELDER ABUSE PREVENTION EFFORTS

- Philadelphia “Elder Court” Pilot Program
- Examining the Adoption of the ABA’s 29 Guidelines for Access to Justice

PENNSYLVANIA DEPARTMENT OF AGING'S
ELDER JUSTICE EFFORTS
ANTICIPATED
OVER THE NEXT YEAR

ADVISORY COUNCIL ON ELDER JUSTICE IN THE COURTS' EFFORTS ANTICIPATED OVER THE NEXT YEAR

- Judicial Bench Books on Elder Abuse and Guardianship
- Development of a Statewide Orphans' Court Case Management System

HOW NAPSA CAN ASSIST PENNSYLVANIA'S ELDER JUSTICE REFORM EFFORTS

What Reform Efforts and Promising Practices to Address Elder Abuse and Financial Exploitation are Occurring in Your State?