

COLLABORATING WITH CIVIL ATTORNEYS TO REMEDY FINANCIAL EXPLOITATION

PRESENTED TO NAPSA MEMBERS

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- Types of elder financial abuse we will be focusing on today
- Often the abuser has vanished or is broke, giving little hope for resolution (do not assume an older victim has no civil remedies available!!)
- Chance for older victims not just to get justice for themselves but to further justice for others



Shawna Reeves Nourzaie and Gary Morris of San Jose, CA, Urge Congress



Shawna Reeves Nourzaie and Gary Morris of San Jose, CA, Urge Congress

GARY'S STORY

BUSTING MYTHS...

INCREASING UNDERSTANDING...

BOOSTING COLLABORATION...

COMMON MISCONCEPTIONS



COMMON MISCONCEPTIONS

- 1) Attorneys and social workers have different values, speak different languages, and can never work together. **FALSE**
 - 2) Private attorneys only care about money and also cost a lot of money. Therefore, it's best to avoid them and let law enforcement handle everything. **FALSE**
 - 3) "It's a civil matter" is always uttered by a police officer who does not wish to investigate a case. **FALSE**
 - 4) District attorneys and attorneys general should always be able to achieve resolutions that are favorable to victims, as they represent the victims exclusively and have tons of resources. **FALSE**
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- 5) Any private attorney who identifies as an elder abuse attorney should be trusted to handle an older adult's abuse case, especially if their website talks about elder abuse and features pictures of sad-looking older adults. **FALSE**
 - 6) Referring elder abuse victims directly to private attorneys is fine and should be done frequently. **FALSE**
 - 7) Multidisciplinary teams are the best way to get elder financial abuse victims access to civil remedies. **FALSE**



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ROSE'S STORY



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ROB'S STORY

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- Your (APS) options/the financially exploited elder's options
- Criminal referral and prosecution
- Civil attorney referral (LRS) and a lawsuit

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- The differences between criminal and civil prosecution
- Why referral to a lawyer referral service (LRS) is so important
- What is an LRS and how can a non-profit lawyer referral services program help?

SHAWNA

- MDTs are great for many things
- Let's find ways to bring private civil attorneys on (or back on) to MDTs

RESOURCES

Financial Elder Abuse – A Brief Overview of Its Forms, Causes and Remedies (Frank Fox): <https://www.nawj.org/uploads/pdf/conferences/2019/financial-elder-abuse--part-one-a-brief-overview-of-its-forms-causes-and-remedies.pdf>

Collaboration Between Lawyers and Social Workers: Re-examining the Nature and Potential of the Relationship (Fordham Law Review):
<https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=3556&context=flr>

California Advocates for Nursing Home Reform's Lawyer Referral Service:
http://canhr.org/LRS/TypesElderLawAttorneys/elder_law_attorneys__elder_abuse.html

Caxton Legal Service's Specialist Elder Abuse Service: <https://caxton.org.au/wp-content/uploads/2018/11/Specialist-Elder-Abuse-Service-Model-1.pdf>



QUESTIONS

FEEDBACK

SUGGESTIONS



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