



## **Elder Abuse: Your Legal Options**

*by Wayne K. Ekren, Esq., Attorney at Law, Elder Friend*

Each state in the United States has some form of legislation to protect our elder persons and vulnerable adults from a variety of abusive behaviors.

The Senate Special Committee on Aging estimates there are over 5 million victims of elder abuse a year. However, the amount of reported cases of elder abuse versus unreported cases of elder abuse events is 16% to 84% respectively. The discrepancy is due in part to the fact that elder abuse is considered a “family” concern. Older adults often do not want to report the incident of abuse perpetrated by a family member. Some older adults are so cognitively impaired they are incapable of reporting abuse.

### **EXPLOITATION IS ELDER ABUSE**

An area that is of great concern to most State legislative bodies is that of exploitation. Exploitation is the illegal taking, misuse or concealment of an elder person’s funds, property or assets. Exploitation is about greed and greed can come in all forms from all sources.

There are daily stories in the newspaper, television or radio about someone taking the life savings of an elderly person through some sort of scam. This is exploitation.

What we don’t always hear about is the friends, neighbors or relatives that befriend an elderly person only to gain access to the elder person’s bank accounts, credit cards, or the deed to the house, then rapidly drawing and depleting those assets without the express permission of the elderly person.

How can an elderly person allow such an obvious money/asset grabbing individual into their lives and pocket books or wallets? It is easy. Often, exploited adults live alone. Along comes a friendly person willing to talk, listen and help the individual in daily life activities such as going to the supermarket, doctor's office, book store, department store, church or restaurants. This friendliness ingratiates the exploiter to the victim. Soon, the exploiter asks for some money, and the exploitive abuse begins. First, it can begin with a small amount of money; then, the requests become more frequent. Or, the victim is asked for a large sum of money, or tricked into signing over the deed to the house.

## TIPS TO RECOGNIZE POSSIBLE EXPLOITATION

Elders beware! **If it looks to good to be true it probably is too good to be true!** If you are pressured to sign a contract you don't understand or that has a lot of small print you can't read, don't sign anything. An attorney will review and explain the meaning of the contract so you can understand your legal obligations.

The small costs associated with legal fees will be well spent to prevent the potential for losing your home or life savings.

Find a trusted attorney you can call anytime: Avoid being a victim!  
Find an attorney you can trust, and whom you can call any time to help you before you make any financial commitments to others. If a family member, friend or neighbor tells you, "you don't need a lawyer", you probably need one.



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