

# TESTIMONY & COMMENT OF JERYL GRAY RE: ELDER JUSTICE

## For White House Conference on Aging (WHCOA)

### CONNECTICUT Public Forum & Comment Session May 5, 2015

#### Sponsored by CT State Dept on Aging & Legislative Committee on Aging

My name is Jeryl Gray. (CT mail address PO Box 695, Stratford, 06615  
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I have come to our Capitol four times in the past year to give testimony on bills and actions that are related to the almost incomprehensively horrific situation of *legislative-* enabled CORRUPTION and *legislative-* enabled UNJUST SELF ENRICHMENT and *legislative-* enabled RACKETEERING which is so being enabled and facilitated by the Corrupt-cut legislators in their service to the very powerful and ruthlessly predatory ELDER LAW / PROBATE INDUSTRY and FAMILY COURT INDUSTRY in Corrupt-cut for purpose of legislative support of the continued theft and looting of the assets of Connecticut citizens and Connecticut visitors by the members of these industries.

Our own situation in this context is so horrific and so as to not be readily believed and it is entirely a product of the predators who, through the complicity and support of Corrupt-cut legislators, are able, UNDER COLOR OF LAW, to strip money-ed targets of all Civil and Constitutional Rights so as to transfer the assets that they steal from these targets into their own pockets.

My Mother Dolores Gray and I worked 60-80 hour, 7- day work weeks for decades in our own self- created business. She and I together created, we EARNED up from nothing a MULTI-IMILLION DOLLAR ESTATE which, through the predatory actions of **THE MEMBERS OF THE PROBATE / ELDER LAW RACKET**, has all been robbed from us as **they have stolen everything**, from us, our rights, our homes, our properties, all of our money, **as they pay themselves \$700,000.00m per year** out of these stolen assets for their services of doing this to us.

My Mother, a Florida Resident /Domiciliary, Medically evaluated and Diagnosed as "Mentally and Psychologically Capable and Competent " is imprisoned in the house of her violent abductor and she is forbidden any contact with or to me, her beloved and loving daughter from whose loving co-habitation she was violently abducted.

My mother who lucidly defines these predators as "filthy- dirty" and "corrupt", are self enriching probate judges (**Kurmay**, **Streit-Kefalas** and **Keyes**) who have sentenced my Mother to imprisonment in house of her hated abductor, have sentenced her to pay for involuntary conservatorships and guardianship and for hated attorneys and for the attorneys for these predators.

All are, through the PROBATE / ELDER LAW RACKET of Corrupticut, "money- raping" her to the sum of \$700,000.00 per year for their services of doing this to her.

My Mother seeks death to escape....

And more and more, we see how you all legislate, more and more, to support these unconscionable crimes. Have you no conscience, no moral base whatsoever to participate so complicitly in such evil???? Indeed, it is one of your own who is at the core of my Mother's and my agonizing exisitance:

It was Stratford Town Attorney / Elder Law private practice- owning attorney / CT Aging Committee Ranking Member / Assistant Minority leader/Senator Kevin Kelly who installed my Mother into the Stratford Probate Racket as ruled by his close political colleague, the infamous "King" Kurmay, Stratford's Imperial Probate Judge for the past almost four decades.

Politician Kelly so unconscionably injected my Mother into this putrid festering quagmire in spring of 2009 and his actions, in concert with the gang of predatory "interested parties" have destroyed my Mother's and my lives beyond all description.

i enclose a small amount of relevant material as composed by a multitude of various writers. Other states (Florida, Nevada, Ohio etc) are all jumping into action to remedy this horrific situation; Connecticut Probate and Connecticut Legislatures are resolutely going in the opposite direction:

I personally attended and witnessed the Connecticut Probate Assembly Rulebook Revision Meetings three years ago. I heard them gloat of how they were outside the law, heard them gloat that the Supreme Court (which is under the "wild west," free- for- all of court lawlessness of Justice Chase Rogers) was going to rubber-stamp into law whatever they put in their self-serving CT Probate Rulebook.

Corrupticut has been ranked as dead last of all fifty states in which to retire, and ranked number one of all fifty states from which its citizens are fleeing to relocate into other states. PAY ATTENTION !!!

# **THE CONSERVATORSHIP / GUARDIANSHIP INDUSTRY- PROBATE & FAMILY LAW IN AMERICA**

**Legalized kidnapping:** This is really about the legalization of kidnapping, abuse, neglect, and exploitation under the laws created to protect the elderly and disabled. People *need* to pay attention to stories as this is being done every day to thousands of victims all across America.

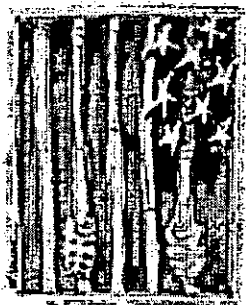
Judicial abuse and conservatorship / guardianship abuse are occurring in every state in the U.S. This is about our future and the destruction of American families watching their disabled and elderly loved ones being used as commodities for profits as generated in probate courts.

**The business industry of conservatorship / guardianship begins in the probate courts. It is a moneymaking racket off the most vulnerable citizens in our society.** In complete disregard for Constitutional Law, it is theft of assets by judicial fiat, with probate judges and their cronies plundering the estates of their defenseless victims.

One day this will happen to you or someone you love. There is no getting out. Conservatorship / Guardianship becomes a stranglehold on a person's life and leaves the victims and their families devastated.

# Probate Courts: Criminal Racketeering Sanctioned by Government

February 20, 2011 ppjgGuardianship Abuseassets, attorney's, corrupt judges, dead in the law, elder abuse, estate theft, fiduciary malfeasance, Medicaid, medicare, predatory guardians, probate courts 10 Comments #Martl Oakley (c)copyright 2011 All Rights Reserved



**"This system of theft will continue until the entire estate has been stolen, leaving the victim penniless."**

***At this point, Medicare and Medicaid are used as the next cash cow to cover medical expenses and the inflated charges of nursing, of doctors' visits and vast amounts of medications that are charged off to these services, costing these services millions each year in padded billing."***

**One of the worst pseudo courts in the US is the system of probate courts. Across the board, in absolutely every state is a so-called court system that operates for profit at the expense of any individual or family unfortunate enough to have any assets.**

By law, upon death of the estate holder, all assets are seized by the court for distribution. Supposedly these courts are charged with making sure all assets are distributed in the manner the decedent supposedly wanted, yet it is estimated that **80% of heirs never receive their inheritance or receive only small portions of what was originally left to them as a result of the criminal racketeering that occurs in these courts.**

**Between the probate judge, who has a financial interest against the estate collecting on average 6-7% of the estate nationally, (this is additional to his annual salary paid by the state and is assessed against each and every probate case in their courts) and attorneys who land on the estates like a swarm of vultures and who misuse the courts to access the assets of the prey while filing numerous vexatious motions, charges and suits then charging hyper-inflated fees for these actions against the estate, there is often little chance heirs will receive anything at all.**

Unless an asset-possessing person has been *already* targeted while alive and has already been probate court placed into involuntary guardianship/ conservatorship while alive, probate begins when a person dies.

If the asset-possessing person is deceased, the decedent's last will & testament & death certificate are filed through probate court which sets this system of organized crime into motion. The will outlines the decedents' final wishes including funeral arrangements and distribution of assets.

**So how do living persons end up having their estates stolen by predatory guardians / conservators/ caregivers, crooked attorneys, and corrupted judges? After all, probate is premised upon the individual having *died*.**

**ANSWER: You are dead *in the law* !**

**The most insidious motion filed in any conservatorship /guardianship case is the motion that creates the conservatorship and or guardianship in probate court.**

**This motion, once granted by the probate judge, removes all Civil and Constitutional Rights of the person in question.**

**These people now do not even have the rights still afforded Death Row prisoners.**

**In effect these individuals, now held prisoner by the predatory conservatorship /guardianships are "dead in the law" and the courts view them as if they are in fact, literally dead.**

**Dead people have no rights.**

Once this fictional non-existence is blessed by the probate court, the court proceeds to treat the estate as if an actual death had occurred. The person is no longer a person; she is referred to as "The Estate" in probate court documents.

(If these courts actually operated as prescribed by law, they could only address testate and intestate cases with the accompanying death certificate).

**As these probate courts are now used routinely to facilitate the theft of estates from the living person, a nationwide system has developed wherein state agency personnel, predatory professional conservators /guardians, attorneys, caregiver persons/facilities and judges who make their living robbing estates from targeted prey, all carve up the estate of a living human being while that individual is held prisoner in a facility (nursing home, assisted living, residence of appointed "care-giver," etc) that is routinely used for these purposes and also is of course profiting from the hostage situation.**

During this time, and while the estate is being bled of its contents, it is not uncommon for the now hostage, now- imprisoned elderly or handicapped person to be administered heavy doses of psychotropic drugs to keep them subdued.

This is especially handy when a "competency" test is administered. This test supposedly confirms the predatory parties (, guardians, conservators, care-givers, attorneys, etc) allegations that the individual in question is not competent, yet, neither the parties, nor the doctors involved will formally put into the court record that the individual is heavily medicated with mind-altering drugs.

**Actually, it is generally known and is pre-decided by the probate court judge in advance of any so-called evaluation that the person in question definitely will be rendered a diagnosis of "unable to function normally" and the courts will not allow any evidence to be introduced which would conflict with the pre-planned fictional rendering of the so-called competency hearing.**

**The probate court-chosen diagnosing doctor is not the person's regular doctor, it is a doctor with whom the judge and parties have a relationship that has a pre-established situation of providing the court with incompetency evaluations for such prey as are funneled into the doctor's practice for sole purpose of the gaining of the incompetency evaluation for the probate court .**

**Once the estate is depleted and all property has been re-titled to the predatory conservator/ guardian, and then sold for profit in many cases, and while the trusts funds, wills, medical directives and other legal instruments constructed by the actual owner of the estate are discarded by the courts, the cash accounts are tapped incessantly for administrative charges by the predators. The estate is hammered constantly by attorneys who inflate their fees and file frivolous motions into the court.**

Seldom are these predators asked to produce verifiable documentation for the expenses charged against the estate, and many times even under pressure cannot produce anything to validate the funds transferred from the victim's personal accounts into the predators' personal accounts.

**This system of theft will continue until the entire estate has been stolen leaving the imprisoned victim totally penniless.**

At this point, Medicare and Medicaid are used as the cash cow to cover medical expenses and the inflated charges of nursing, the doctors' visits and vast amounts of medications are charged off to these services costing these services millions each year in padded billing.

You say 'They can't do that! We got laws!'

We may have laws, but in probate court these laws are not adhered to; (not that they are to any extent in any other court either). The Constitution does not exist in probate courts.

**If you challenge the predators, you will most likely be slapped with a restraining order, if not given jail time.**

Any evidence that refutes the predators' case or claims is routinely rejected by the court. They refuse to even look at it.

The victim is held in isolation and family and friends cannot visit; or many times even be allowed to know where the victim is being held. If visitation is allowed, the predators charge enormous fees for being court-appointed monitors of the prisoner's visits. They then report the behavior of the visitors to the court and will fabricate outrageous fraudulent stories of abusive behavior against the visitor if they see any threat of exposure or to their continued power occurring in these visits.

Restraining orders against the family are commonly issued based on hearsay evidence; the source of which is usually the predatory conservator/guardian/care-giver who invents a complaint....no other evidence needed.

Attempts to access the court for fair hearing of evidence or complaint of abuse, neglect, unneeded medical procedures and medications used against the victim most likely will result in contempt charges and jail time.

Probate-court appointed attorneys "for" the victims, charging thousands if not tens of thousands of dollars for their services sit in these courts and refuse to represent their clients. Most times they do not speak at all in the defense of the family or the victim.

The list of lawful rights being violated by these criminal courts is long and well documented. Those listed above are just the tip of the iceberg.

So what can you do?

Apparently not much. Families and spouses who have had their family member or spouses targeted by predatory probate court conservatorships/ guardianships have begged and pleaded with their local district attorneys, states attorneys, ombudsmans, state and federal legislators, DOJ's to no avail.

The police won't take a report from you about neglect, abuse or mistreatment committed by the predatory guardian, etc., but they will kidnap your loved one and deliver them to the predators' prison of choice. Then you will be told to go to your local health department and complain. They send you to the district attorneys office who then sends you to the state's attorney general who informs you that you need to make a report to the police.

And those elected officials? Those senators and representatives, both state and federal? Useless.

The general response is one of two things:

1. This is a legal issue and I can't get involved; you need to hire an attorney.
2. This comes under separation of powers and is out of my hands.

Neither of these canned statements amount to anything more than:

"I don't want to be bothered" and "You don't have any money to contribute to my campaign."

These are the same public officials who went into state statutes in many states and removed the requirement of "due process." While this may be legal, it is not lawful.

Remember, these too are the same characters who are giving all judges, even the quasi judges of probate court, total judicial immunity from accountability for any of their actions.

**These are the very people who can do something about this and they comprise the very governmental body that created the laws that facilitated this system of GOVERNMENT SANCTIONED RACKETEERING.**

**Our elderly and disabled are being victimized by corrupt probate judges and the established rings of predatory guardians/ conservators, caregiver facilities and attorneys.**

**The same judges, attorneys, guardians/ conservators, caregiver facilities and attorneys, the ADULT "PROTECTIVE" SERVICE AGENCIES (a misnomer) and other Governmental Agencies and personnel show up repeatedly in every area; it's always the same group of individuals each working in one respective area of estate theft.**

**Be alarmed if state agency personnel show up with a report of a concerned party in hand .... The money mill is about to start rolling.**

**THE CLAIM THAT ESTATE PLANNING WILL AVOID THESE PROBLEMS IS FALSE.**

**Probate courts have no problem discarding the instruments of planned estates to facilitate the theft. And who is going to stop them???**

**After all, they are only stealing from a person deemed to be "dead" in the law. They're just picking over the corpse. That's what vultures do.**

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## **GUARDIANSHIP / CONSERVATORSHIP OVER ELDERLY IS BIG BUSINESS.**

### **PROBATE JUDGES AND ELDER LAW ATTORNEYS AND PROFESSIONAL GUARDIANS / CONSERVATORS ARE ROBBING OUR ELDERLY**

In December, the Sarasota Herald-Tribune published a series of stories, "The Kindness of Strangers," exposing how the guardianship / conservatorship system ignores basic Constitutional rights.

The news organization documented instances where

**Guardians removed seniors from their homes and seized, sold off their homes and all their belongings to cover the cost they were charging to the senior of "providing their services" of doing this to them!**

**Under current law, family members, nursing homes and other people and institutions can petition the court system to have someone declared incapacitated.**

**If the individual is then deemed incapacitated and there is not an appropriate family member to step in, he or she can end up a "ward of the court;" that being probate court.**

**In such instances, the ward's financial, medical and legal decisions and assets are all taken from them and controlled by strangers, under court "supervision."**

**The ELDER INDUSTRY is one of the most rapidly growing industries of the 21<sup>st</sup> century and Financial Elder Abuse is said to be the Number One Crime of the 21<sup>st</sup> century.**

**It's a huge growth industry one reason the number of professional guardians/conservators has soared in recent years. And it is an industry rampant with corruption and illegal maneuvering by those "in charge." Some aptly call it a form of racketeering.**

Guardians / conservators, who *ostensibly* have a legal duty to inventory their wards' property and invest and manage the assets "as a prudent investor would," are paid for their services at a rate approved by the court, that being the appointing probate judges.

How do these probate judges profit? Kickbacks are one way; the judges appointing the conservator/guardians have received campaign contributions from those who benefit from the appointment.

Another is quid pro quo patronage and cronyism; the probate judges frequently own their own private practice law firms in the elder law industry.

Third is in the influence that probate judges and elder law attorneys wield in the state legislature as many are also directly involved in the specific committees and lobbying efforts of the state that keep the rights of the elderly controlled by these profiteers. The Elder Law Industry lobby is one of the most powerful lobbying groups in America...

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Dr. Sam Sugar has a pretty clear picture of how he thought life would be after he retired to Miami from Skokie, Ill. The physician saw himself in a bathing suit on the beach spending time with his wife and grandchildren. He'd travel, read and have time for himself.

After his wealthy, widowed mother-in-law became a "ward of the state" -- with her affairs completely controlled by a coterie of lawyers, nurses and court-appointed guardians --

Sugar channeled his anger into political activism. Now he is on the verge of a breakthrough.

With Sugar and the organization he started, Americans Against Abusive Probate Guardianship, leading the charge, Florida lawmakers are overhauling state guardianship / conservatorship laws.

The changes are aimed at installing some checks and balances to ensure that guardians and conservators, who have considerable power once they are appointed to a case, are qualified and that their actions can be reviewed.

"We have accomplished something monumental," said Sugar, who has testified in Tallahassee on behalf of the overhaul.

Sugar, who lives in Aventura, spent countless hours researching the laws after he and his wife engaged with her siblings in a brutal years-long squabble over the well-being of his mother-in-law, Idelle Stern, also known by her Hebrew name Rebbetzin Chayale Stern.

As often happens in such situations, fingers were pointed in multiple directions.

Sugar claims the guardian and lawyers, in cahoots with the courts and his wife's siblings, siphoned millions of dollars from Stern's accounts while keeping her isolated from him and his wife.

The siblings and the guardian claimed that the Sugars moved to South Florida with designs on Stern's money, and that they were simply protecting Stern from exploitation.

One of the few things not in dispute is the guardianship / conservatorship process and associated litigation costs everyone a lot of money.

Stern, whose late husband was a rabbi and successful investor, died in 2013, leaving an estate drained and a family utterly divided.

*It is hardly an isolated case.*

Sugar's story begins in 2010. He and his wife had moved to Florida. Stern, his mother-in-law, had her own apartment in Miami Beach and had round-the-clock care. The other siblings began to question whether the Sugars were exercising undue influence over Stern, whose husband died in 2004.

According to Sugar, on April 15, 2010, there was a knock on his door and he was told he had 24 hours to get to court. He said his mother-in-law was immediately assigned a "temporary" guardian.

He said that meant that

ALL of her life decisions -- things like the purchase of groceries, the selection of a doctor and the spending of her own money -- were now totally out of her choice and control.

He said he later would see invoices charged to the estate that disturbed him, everything from legal fees to bills for opening emails, opening envelopes, printing at dollars per page billing, etc.

At some point, the guardianship firm, Comprehensive Personal Care, sued the Sugars, claiming funds had been misappropriated by them.

Before she was placed into guardianship, his mother-in-law was a vital woman who loved to go shopping and visit with her friends,

After a while under court imposed guardianship, she was no longer Sugar said.

That is a common complaint among those who criticize the guardianship /conservatorship system -- isolation combined with medical intervention can accelerate a ward's decline.

"She was forced to be a prisoner," Sugar said. "She couldn't play bingo, she couldn't even go and buy an ice cream."

However, Robert Stok, attorney for the out-of-town siblings, said in Stern's case "guardianship worked." He questioned the motives behind Sugar's push for new legislation.

"The court had to protect her money," he said. "If someone is unsuccessful in court, they want to circumvent the system by changing the law."

Liz Messianu, an attorney who represented the guardian in the Stern case, said she could not comment on specifics, citing settlement agreements. She did say, generally, that if there are accusations of wrongdoing against a guardian, a petition to remove the guardian can be filed under current law.

Sugar, meantime, learned others faced similar frustrations navigating the guardianship conservatorship process.

It often begins, he said, with a family dispute, followed by accusations of wrongdoing, a filing in court, declaration of guardianship and then a lengthy fight to stop the process of depleting the ward's life savings.

"Somewhere there is a playbook," he said.

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Thus was born the group Americans Against Abusive Probate Guardianship. He found an ally in Lidya Abramovici, also of Aventura.

Five years ago, Abramovici's mother, Perla Brief de Abramovici, was visiting South Florida from Venezuela when, the daughter says, a second daughter sought to have their mother declared incapacitated.

She was assigned a guardian, though her assets were offshore and she was not a U.S. citizen.

Because her mother was from another country, Abramovici felt the court was overstepping its bounds. She left the country with Perla, who was in her mid-90s. Once there, she recorded an interview between her mother and a doctor. In the lengthy clip posted on YouTube, Perla Brief de Abramovici appears sharp and lucid, answering questions easily in Spanish and reminiscing about her Romanian childhood.

Eighteen months later, mother and daughter returned to the United States. Lidya, a U.S. citizen, said she felt compelled to return because of a judge's order.

Perla Brief de Abramovici, widow of a well-to-do bank director and merchant, died in 2012. She wanted to be buried by her husband in Venezuela, her daughter said, *but the money was gone*. She was interred in Miami. The experience left Lidya Abramovici, who works in real estate, determined to change the system.

**"We know there has been a concerted effort to dissipate assets to the benefit of professional guardians and their attorneys,"** Abramovici said. "We cannot turn back now."

Sugar took his fight to Tallahassee last year and made some inroads. He is truly seeing the fruits of his labor this year. Lawmakers in the Florida House and Senate, having heard horror stories about guardianships /conservatorships run amok, are working on various measures to change the way guardians are appointed -- and clarify the responsibilities they have to their wards. HB 5 is the proposal that would require guardians to be appointed on a rotating basis.

It would also specify

**guardians / conservators must act in good faith, and explicitly prohibit the abuse, exploitation or neglect of a ward.**

"As a personal injury attorney, I deal with guardians all the time," said State Rep. José Javier Rodríguez, a Miami Democrat who is co-sponsoring the bill. "I see the potential for abuse."

The bill allows judges to refer contested guardianship matters to mediation in order to cut back on litigation costs. And it speeds the process for terminating a guardianship for someone who is no longer incapacitated. The measure has won the support of two committees in the House. The Senate Judiciary Committee advanced a similar proposal (SB 318) earlier this month.

"It's an important issue," said Senate Judiciary Committee Chairman Miguel Diaz de la Portilla, R-Miami. "There have been *numerous cases of abuse* and we're working to address those concerns."

A separate bill by state Sen. Nancy Detert, R-Venice, seeks to increase oversight by establishing a new Office of Public and Professional Guardians and requiring the registration of professional guardians (SB 1226). The office would review allegations of fraud and abuse, and have the authority to conduct investigations and take disciplinary action when necessary.

Detert called the bill her "top priority."

**"Those little cracks in the law are allowing these cockroaches to climb through and take advantage of people who are elderly."**

she said, before her proposal was approved by a unanimous vote of the Senate Children, Families, and Elder Affairs Committee. The House version of the proposal (HB 1225) is also gaining traction.

Others say state officials would be better off by enforcing the rules that already exist.

**"You can have all of the bills in the world, but *unless there is enforcement*, the judges and the attorneys who are predators are going to keep doing what they are doing."**

said Theresa Giffen Pizzarello, a Sarasota resident who spent tens of thousands of dollars battling her parents' guardian in court. "They need to enforce the laws that are already in place."

Sugar says being put through the guardianship ringer has taken a heavy toll on him and his wife.

He said they have no relationship with her family and they

**blame the stress for ultimately killing her mother**, who died in 2013.

**"She never did anything wrong"** he said. "Her only crime was to age *here*."

**CITIZENS OF STATE OF CONNECTICUT**  
**&**  
**CITIZENS OF OTHER STATES VISITING IN CONNECTICUT**

**DO YOU KNOW:**

You are completely vulnerable to a predatory & corrupt Industry -  
**THE PROBATE / ELDER LAW / NURSING HOME INDUSTRY** -- stripping you of all of your Civil Rights and all of your assets while you are physically located in Connecticut?

**Connecticut is ranked as having the most predatory & corrupt Probate Racket of all fifty states?**

Connecticut probate judges / elder law attorneys / nursing homes are considered as having the *most collusively corrupt racket* of all fifty states?

that Connecticut probate judges are members of a judicially independent, completely self-regulating branch in Connecticut Law that is not part of the judiciary, yet they have designated for themselves and they hold the same the same judicial immunity in their actions as the real courts and real judges do?

that these Connecticut probate judges can - and regularly do- strip targeted persons of all of their Constitutional Civil Rights and all of the contents of their estates by their declaring of any person that they may choose to target to be "mentally incompetent" per their own discretion; by decreeing any such targeted person, even visiting Domiciliaries of other states, as being physically present, located, situated in Connecticut to be involuntarily declared as residing in Connecticut and therefore subject to the probate judge's declaration of "mental incompetence" and subsequent stripping of all Civil Rights and Assets by this probate judge ?

that a Connecticut probate judge, with complete disregard of required Due Process per Federal Constitutional Law, can therefore permanently and irreversibly take away all Civil Rights, and seize all assets from a Medically Diagnosed, Mentally, Cognitively and Psychologically "Capable and Competent" target at the probate judge's "own discretion" and with complete immunity per their Connecticut Probate Assembly's self-composed Rulebook of Probate Law for CT?

that the probate judge can and will then grant total power and ownership over the target and the target's assets to the judge's chosen appointees (the judges cronies); to all the attorneys, care-givers, guardians, involuntary conservators, internment facilities, etc - who have the power to place the victim in unwilling captivity and solitary confinement in any place of theirs and the judge's choosing, and who may plunder and loot the entire financial estate of the victim with complete impunity per the power of their self-composed Probate Law of Connecticut?

that a Connecticut probate judge can, per power of Probate Law of Connecticut, order that a target victim's assets be used, completely against the victims' desires, will or consent, to then pay the judge & all the judge's appointed cronies who are the members of this Connecticut probate / elder law / nursing home RACKET, to these positions over the victim as attorneys, care-givers, guardians, involuntary conservators of person, involuntary conservators of estate (assets), and also appoint to these handlers their own attorneys - with all of the payment of "service" fees to these handlers also being taken out of the completely captive target's assets so that the target and target's allies cannot possibly oppose any of what is being done?

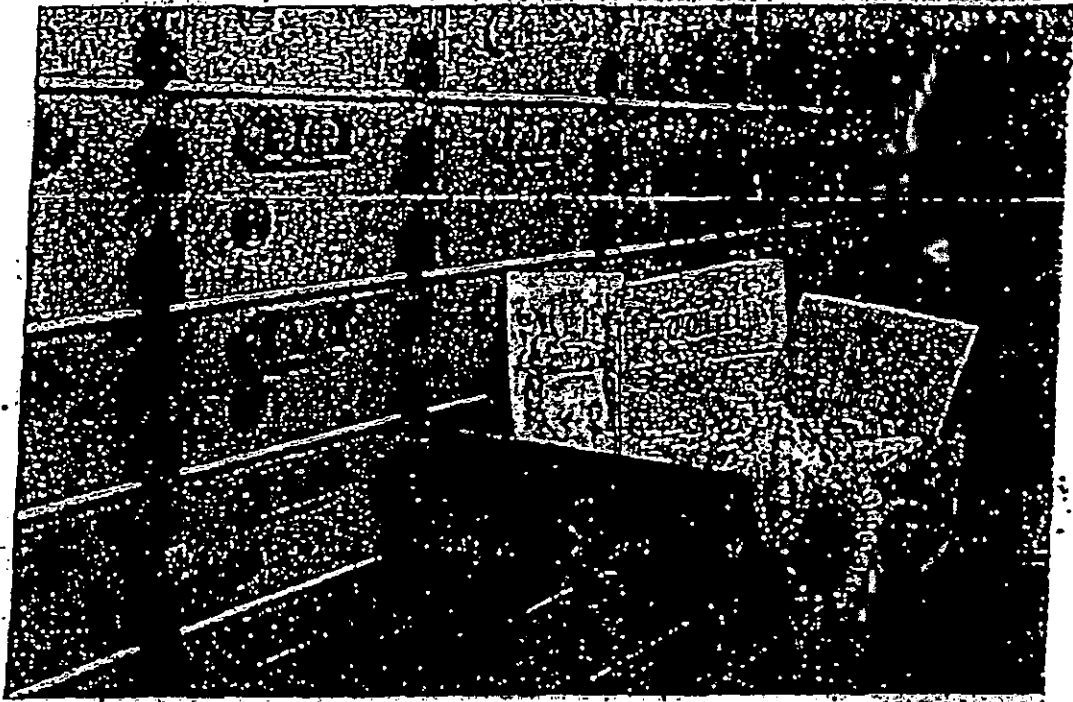
The victim is therefore robbed of all assets so as to pay this pack of Racketeering, Human Trafficking, Connecticut Probate / Elder Law / Nursing Home Predator Conspirators for their "services" of stripping the victim of all Civil Rights and for their "services" of their taking seizure of all the victim's financial assets so as to transfer the assets into their own pockets.

# COMMENTARY

SUNDAY, OCTOBER 25, 1983

SECTION 6

A will can't protect you from the state's predatory probate system, considered a national disgrace



UNNECESSARY PRODUCTS can much deep into a person's estate. The state's probate system rewards judges for collecting under-worked fees.

## Don't Die In Connecticut

By JOHN H. LAMBSON

**T**ry not to die in Connecticut. If you are a person of means, you should — live in life — establish your domicile in some place such as Florida or Maine or Arizona that has a responsible probate system. You can still own a Connecticut home and spend plenty of time here. Indeed, if you place title to your Connecticut home in a Florida trust, your trustee can even live in the home after your

death without going through Connecticut probate.

I am not the only person who gives such advice. If you go for a drive in Connecticut's affluent towns and suburbs in the summer and fall, you'll see all the gray-haired drivers sporting their Florida license plates. Some of these people would leave even if they did not fear Connecticut probate, in order to escape our state income tax and our winter weather. But for many, I am certain, the final straw that causes them to change domicile is the prospect of having their estates ripped off in Connecticut's probate courts. By encouraging these people to leave our state, Connecticut probate causes the state to lose the income tax and other

John H. Lambson is Sterling Professor of Law and Legal History at Yale Law School. This was adapted from testimony he gave to the General Assembly's Committee on Probate, Rules and Investigations in Oct. 2.

PLEASE REPLY, PAGE 24

## Gross V. Rell United States Court of Appeals Second Circuit

**This is how the probate judges/ elder law attorneys are looting estates in Corrupticut: they have given themselves immunity per their self created rules even as Connecticut Probate is not part of the judicial system of Connecticut.**

**These predators have given themselves power to conserve anyone they target who happens to be physically located in Connecticut per the "probate judge's discretion." Medical Diagnosis of the target being "Capable and Competent" is meaningless per the probate judge's "discretion." Residency /Domicile of the target in other states is meaningless per the probate judge's "discretion."**

**Dan Gross was a NY Resident just as Dolores Gray, Medically Diagnosed "Capable and Competent" "In no need whatsoever for a conservator" is a Connecticut probate- imprisoned, Florida voting, driving, Florida Resident Domiciliary.**

**Both were kidnapped and imprisoned by the Corrupt Connecticut Probate/ Elder Law Racket and Dolores Gray's probate-stolen assets are being paid by these criminals to these criminals @ \$700,000.00 per year for their "services" of doing this to her as she remains imprisoned in the Milford Connecticut house of her violent abductor against whom she had obtained an attorney- created Order of Protection.**

**And the Supreme Court is in lock step service to this corruption: I personally witnessed / heard it said by these probate criminals that Justice Zarella was their (Probate Assembly's) point man who would have the bunch of them, his Supreme Court cronies, rubberstamp into law anything that the Probate Racket presented as their "rules."**

**This is why the entire Connecticut Probate Racket is irredeemably corrupt; they are untouchable in their all-powerful inextricable bond with their pals, the "lawmakers" in Hartford.**

Gross V. Rell United States Court of Appeals Second  
Circuit

Daniel GROSS, Plaintiff, Carolyn Dee King, Plaintiff-Appellant, v. M. Jodi RELL, Governor, State of Connecticut, in her official capacity; Maggie Ewald, Former Acting Long-Term Care Ombudsman of the Connecticut Department of Social Services, in her official capacity; Thomas P. Brunnock, Probate Judge for the District of Waterbury, in his individual capacity; Kathleen Donovan, in her individual capacity; Jonathan Newman, in his individual capacity; Grove Manor Nursing Home, Inc., in its individual capacity, Defendants-Appellees.

Docket No. 08-2626-cv.

Decided: September 25, 2012

## Corrupt CT

- Quinn v. Rail United States Court of Appeals Second Circuit Chambliss v. A. Nichols' Federal AD  
Complete Appeal Update Administrative Public complaint public complaint file 1992-1993-13  
Complete Public Update 1992-1993-13 Complete Public Update 1992-1993-13 Complete Public Update 1992-1993-13
- Quinn v. Rail United States Court of Appeals Second Circuit Chambliss v. A. Nichols' Federal AD  
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- Quinn v. Rail United States Court of Appeals Second Circuit Chambliss v. A. Nichols' Federal AD  
Complete Appeal Update Administrative Public complaint public complaint file 1992-1993-13  
Complete Public Update 1992-1993-13 Complete Public Update 1992-1993-13 Complete Public Update 1992-1993-13

Gross V. Rel United States Court of Appeals Second Circuit

Docket No. 08-2828-cv. Decided: September 25, 2012

Before JACOBS, Chief Judge, STRAUB and HALL, Circuit Judges. Sally R. Zanger, Connecticut Legal Rights Project, Inc., Middletown, CT, for Plaintiff–Appellant. Gregory T. D’auria, Associate Attorney General for the State of Connecticut (Richard Blumenthal, Attorney General, Jane R. Rosenberg, Assistant Attorney General, Clare Kindall, Assistant Attorney General, of counsel), Hartford, CT, for Defendants–Appellees M. Jodi Rell, Maggie Ewald, and Thomas P. Brunnock. Richard A. Roberts (Nadine M. Pare, James R. Fiore, of counsel), Nuzzo & Roberts, L.L.C., Cheshire, CT, for Defendant–Appellee Kathleen Donovan. Louis B. Blumenfeld (Lorinda S. Coon, of counsel), Cooney, Scully and Dowling, Hartford, CT, for Defendant–Appellee Jonathan Newman. Jeffrey R. Babbitt, Wiggin and Dana LLP, New Haven, CT, for Defendant–Appellee Grove Manor Nursing Home, Inc.

On October 27, 2009, we certified questions to the Connecticut Supreme Court regarding the scope of Connecticut quasi-judicial immunity for conservators and court-appointed attorneys for conservatees, as well as regarding the role of such actors and of nursing homes that house conservatees in the Connecticut system. On April 3, 2012, the Connecticut Supreme Court answered our certified questions in an opinion, holding as a matter of state law that conservators are entitled to quasi-judicial immunity when their actions are authorized or approved by the Probate Court and that court-appointed attorneys for conservatees are not entitled to quasi-judicial immunity. It also described the role of nursing homes housing conservatees in the Connecticut system and suggested that such entities should not be entitled to quasi-judicial immunity.

We now consider whether the conservator for an elderly conservatee, his court-appointed attorney, and the nursing home that housed him in allegedly abusive circumstances are entitled to quasi-judicial immunity as a matter of federal law. We hold that federal quasi-judicial immunity parallels state quasi-judicial immunity for these actors. The judgment of the District Court with regards to Kathleen Donovan ("Donovan"), the conservator, Jonathan Newman ("Newman"), Daniel Gross's ("Gross") court-appointed attorney, and Grove Manor Nursing Home, Inc. ("Grove Manor"), the nursing home in which Gross was housed, as to the federal claims and, with regards to Donovan and Newman, as to the state claims is therefore VACATED and the case REMANDED for further proceedings not inconsistent with this opinion.

## BACKGROUND

The facts necessary to understand this opinion are set forth below. A fuller account of the factual background is available in our certification opinion, *Gross v. Reli* (“Gross I”), 585 F.3d 72 (2d Cir.2009). The allegations of the complaint are accepted as true in this recitation.

Gross, an octogenarian resident of the state of New York, sought treatment in a hospital in Waterbury, Connecticut, where his daughter lived. While there, a hospital employee filed an application for appointment of a conservator in Waterbury Probate Court for reasons unknown.

The Probate Court appointed Newman to represent Gross in the involuntary conservatorship action. Despite the fact that the hearing did not conform to the proper notice procedure, that Gross was not a Connecticut resident, and that Gross appeared to be alert and intelligent at the time of hearing, Newman concluded that there was no legal basis to deny the application.

On September 1, 2005, the Probate Court appointed Donovan as conservator of Gross's person and estate. A week or two later,

# Probate Court: Offering Unequal Protection Under The Law

January 19, 2007 | By RICK GREEN Rick Green's column appears on Tuesdays and Fridays.  
He can be reached at [rgreen@courant.com](mailto:rgreen@courant.com).

Welcome to the Hotel Connecticut. Come visit and you can never leave.

Because if you're elderly and frail and don't watch out, there's a probate court judge somewhere out there willing to lock you up in a nursing home. For your own good, of course. Grandma!

Unless something dramatic happens, another session of the General Assembly will slide by without probate reform. Oh, they'll hold hearings again, but don't bet on our elected leaders actually disrupting a system steeped in decades of old-boy politics and favoritism.

So this court system — where even the rules of evidence and recordkeeping are inconsistent and the legal experience of judges is uncertain — marches on, unimpeded.

The latest outrage-of-the-month comes from the Woodbridge probate district, where a judge last year denied a request by the children and husband of an elderly New Jersey woman, Maydelle Trambarulo, that she be allowed to leave a Connecticut nursing facility and return home.

Trambarulo was brought here for treatment in 2004 by a niece. Soon after, the niece went to probate court in Connecticut, and had a conservator appointed to oversee her finances and health care, handing over the 78-year-old New Jersey woman's liberty — and control of her money — to probate.

"The husband is in New Jersey. The wife was brought here for rehabilitation by a relative. Then the relative had her conserved," said John Peters, a lawyer who won freedom for Daniel Gross, a Long Island man held against his will in a Waterbury nursing home.

Do I need to add that the Trambarulo estate is worth more than \$1 million and that this fight, if nothing else, continues to provide thousands of dollars worth of work for lawyers?

It doesn't matter that this family could be a dysfunctional mess. It's not up to a Connecticut probate court to decide.

A former West Hartford probate judge who previously represented the Trambarulo family, John Berman, understood this when he said in court papers in December 2005 that the "court lacks jurisdiction to appoint a conservator."

Clifford D. Hoyle, the acting judge in Woodbridge, ruled, instead, that he was "not convinced that the respondent's family is willing to make the time commitments necessary to care for her."

Peters, now representing the Trambarulo family, told me that Maydelle "doesn't live here. The judge doesn't have jurisdiction. The fact that you are here doesn't mean you are a resident. She wants to go home."

loyal Stark, director of the health law clinic at the Quinnipiac University School of Law, said the legislature must limit the power that probate courts hand to conservators.

Until I got a glimpse of it, I didn't realize what was at stake and how bad things could go," Stark said. For example, Stark said that once a person has been "conserved" by probate court, it is nearly impossible to remove the conservator.

Reform-minded lawyers want basic changes, such as mandating that courts respect previous requests made by the elderly, known as "advance directives." Courts should also follow the rules of evidence and proceedings should be conducted on the record. They also want to make it easier to appeal decisions.

We are going to wade into it and see if there are solutions for it," promised state Sen. Andrew McDonald, the chairman of a judiciary committee. "A lot of this operates in the shadows."

*"We feared getting cancer. Now we fear getting appointed a guardian /conservator by the Courts"*

## **The Innate Governmental Conflicts Present in Guardianship / Conservatorship**

### **Probate Court**

*Here is an industry of guardians and conservators and lawyers who manipulate the "protection system" and exploit their positions to loot the very estates they are sworn to protect.*

*A powerful, unrestrained, well connected and moneyed group of **For Profit Guardians/ Conservators** and the lawyers that protect them has ignored and subverted the laws designed to protect us all and have taken advantage of a non-existent Court monitoring system to wreak terrible harm on "Wards" and their families while they enrich themselves with exorbitant fees and horrifically abusive tactics.*

*Archaic self-serving, self-created guardianship laws give these predators total power-- including owning another person -- over innocent vulnerable citizens in our society.*

*Instead of helping the frail among us, they use the power of the law to strip away precious Civil Rights and plunder estates, isolate families who get in the way, and in the process destroy lives. They use the very laws that were first created with intention to help people to instead destroy innocent people and their families.*

**ANYONE AT ANY AGE CAN BE DEEMED "INCAPACITATED" --**  
*even seemingly healthy independent adults--and involuntarily become "a ward of the state."*

*The prime purpose of Government is the protection of its citizens--that is what laws are for. When our Judicial system ignores those laws to permit discrimination against our most vulnerable citizens in favor of enriching court cronies, we suffer with a failed, illegitimate government.*

*It is shocking to realize that this 21st Century Identity Theft and this **Human Trafficking** takes place within the complete cooperation and self-profiting of the very Courts and through Statutes that are supposed to protect our rights!*

**It is a greed-based system that is unmonitored and out of control.**

*Victims of this abuse are so terrorized and are chronically, unrelentingly so stressed that the term "Legal Abuse Syndrome" has emerged to describe the trauma suffered in these horrible cases.*

*We must take back our civil protections and Constitutional rights that are so threatened by the For Profit Guardianship /Conservatorship process.*

**Goals are to:**

- **Assure Due Process and adherence to the Constitutional and Statutory safeguards so routinely ignored in Probate court.**
- **Abolish the so called "Emergency Temporary Guardianship/ Conservatorship" which is gateway to guardianship and conservatorship horrors.**
- **Reform the process that designates and determines "incapacity" by upgrading qualifications, performance, transparency and accountability of the designating parties.**
- **Assure transparency in Guardianship and Conservatorship fees, records, estate administration and communication, especially with family members**
- **Establish effective monitoring and reporting systems to identify deviations from the intent of the Statutes.**
- **Remove the comprehensive self-serving blanket of "judicial immunity" and create accountability and means of redress for the perpetrators of these criminal activities being committed against the defenseless victims.**

# **Guardianship /Conservatorship:**

## **Few Safeguards** | FRED BAYLES and SCOTT McCARTNEY | Associated Press

**The nation's guardianship / conservatorship system, a crucial last line of protection for the ailing elderly, is failing many of those it is designed to protect.**

**A yearlong investigation by the Associated Press of courts in all 50 states and the District of Columbia found a dangerously burdened and troubled system that regularly puts elderly lives in the hands of others with little or no evidence of necessity, then fails to guard against abuse, theft and neglect.**

**In thousands of courts around the nation every week, a few minutes of routine and the stroke of a judge's pen are all that it takes to strip an old man or woman of basic rights.**

**The 300,000 to 400,000 elderly people under court conservatorship/ guardianship can no longer receive money or pay their bills. They cannot marry or divorce. The court entrusts to someone else the power to choose where they will live, what medical treatment they will get, and, in rare cases, when they will die.**

### **2,200 Court Files**

**The investigation examined more than 2,200 randomly selected / conservatorship / guardianship court files to get a portrait of wards and of the system that oversees them.**

**After giving guardians such great power over elderly people, overworked and understaffed court systems frequently break down, abandoning those incapable of caring for themselves, the investigation found.**

**A legal tool meant to protect the elderly and their property, conservatorship / guardianship oftentimes results instead in financial or physical mistreatment.**

**"Conservatorship /guardianship is a process that uproots people, literally 'unpersons' them, declares them legally dead,"**

**"Done badly, it does more hurting than protecting."**

**said Dr. Dennis Koson, a law and psychiatry expert in Florida.**

### **System's Dangers Confirmed**

**That danger was confirmed by the investigation, which involved staff reporters in every state.**

## **The AP found:**

**- Elderly in conservatorship /guardianship court are often afforded fewer rights than criminal defendants.** In 44% of the cases, the proposed ward was not represented by an attorney. About 34% of the files contained no medical evidence. Forty-nine percent of the wards were not present at their hearings. Twenty-five percent of the files contained no indication that hearings had been held.

## **Some elderly people discover that they are wards of the court only after the fact.**

A Bennington, Vt., woman learned she was under conservatorship only when told by her nursing home she could no longer spend money without the permission of the conservator guardian, her daughter. A Fort Lauderdale, Fla., woman found that she had a conservator guardian only when she was turned away from the polling booth.

**"Conservator Guardianship became a rubber-stamp procedure over the years,"** said Indianapolis Probate Judge Victor Pfau, a leader in a judicial reform movement.

- Although laws in 45 states require conservator guardians to file regular accountings of the ward's money, the documents were missing or incomplete in 48% of the files examined. Thirteen percent, more than one in 10, of the files were empty but for the initial granting of the conservator guardianship powers.

Such files are critical to the court's knowledge that wards are being cared for and that their money is being spent properly. Without the files, the door is open to abuse.

A court in Missoula, Mont., for example, had no record of what happened to the \$131,000 estate of a 92-year-old man found ill and alone in a cabin in 1985 after a couple described as "friends" became his guardians. And a Pittsburgh, Pa., court learned of a decade-long misappropriation of \$25,000 in Social Security checks only when a state hospital complained of non-payment for a ward's care. The ward's conservator guardian, an attorney, was disbarred in 1985.

- What reports are filed are rarely audited or even checked by probate courts, which handle conservator guardianships in most jurisdictions. One of the last rungs on the courthouse ladder, often dealing more with affairs of the dead than of the living, probate courts are swamped. Many can't even guess how many conservator guardianships they have on file.

"I don't know where the wards are, who's caring for them, what they're doing," said Probate Judge Anthony Sciarretta of Providence, R.I. "I have no support staff, I have no welfare workers, I have no aides, I have no assistants and I have no money."

In San Diego, judges routinely signed off on annual accountings filed by lawyer Robert Kronemyer for the estate of his ward, Joshua Baily. Not until after Baily's death did a friend become suspicious. Conservator

**Attorney Kronemyer was convicted in 1983 of theft and perjury for taking hundreds of thousands of dollars in cash and bonds.**

# The Probate Murders

## Part One:

### The War on the Vulnerable Through the Probate Courts

by Janet C. Phelan

Archived here with permission of the author, Janet Phelan and Robert Kelly, Publisher, *The American's Bulletin* telephone: 541-779-7709

Barbara Rosen was concerned that her elderly neighbor might need some help. The two had become acquainted through Quaker meetings and Barbara was aware her friend was alone in the world and increasingly vulnerable.

Barbara offered her assistance, and ended up visiting the woman several times a week. The neighbor was grateful and for several years, Barbara Rosen paid her neighbor's bills from the neighbor's checkbook and exercised some oversight on her affairs. Barbara Rosen did this without charging her neighbor for these services, simply out of the goodness of her heart.

Barbara Rosen was, in fact, her conservator. And her selfless acts of assisting her neighbor are nearly unparalleled in what has become

### THE BUSINESS OF CONSERVATORSHIP.

Black's Law Dictionary defines Conservator as

"A guardian, protector, or preserver."

Conservatorships are generally initiated through the courts in this country, in order to provide oversight for the vulnerable elderly or disabled.

The reality behind this process, however, reveals a legally sanctioned "cottage industry" where there is massive fraud and massive abuse conducted by the very parties pledging to oversee and protect.

About two years ago, an expose hit the front page of the L.A. Times Entitled "Guardians for Profit — When a family matter turns into a Business," The four part series delved into the issue of conservatorship, and touched on a number of cases conservators took financial advantage of their elderly and vulnerable charges.

In fact, conservatorship abuse is nationwide, and far surpasses what was disclosed in the L.A. Times articles.

While the Times detailed many circumstances where conservators had mismanaged funds to the detriment of their clients, the articles suggested that the courts were so crammed that appropriate judicial oversight was nearly impossible.

TAB has uncovered a different scenario, with an extensive cast of culpable characters, many of whom are sitting in government offices.

The story of greed and inheritance is an ancient one.

In King Lear, the aging King decides to step down from the throne, and must bequeath his kingdom to his heirs. His vanity blinds him from realizing who among his children is acting out of love and who is avaricious and duplicitous. And what follows is one of the great tragic dramas of our time, as the love of money devolves into murder and parent-icide.

It is said that art imitates life. In the stories that follow, we will see the same themes of love vs. greed and honor vs. thieving and even murder for financial gain. What separates the stories of modern inheritance from the Lear saga is that

The current judicial and legal system in our country is contorting itself to accommodate the criminal element.

And this is what makes this a contemporary and moral issue, beyond inheritance and legalistic preoccupations.

(In the following, the names have been changed in the following, so as to protect the innocent).

Megan had grown up as the daughter of an important man.

He had served in two Presidential Administrations, and had founded a law firm on the East Coast, which grew large and powerful. Megan had been independent and forged her own path. When her father passed away, he left behind his aging wife, three grown children and an estate of some sizeable measure.

While he named his wife as executor, he designated one of two sons, Louie, as Power of Attorney, with oversight being given to the law firm of his creation.

The firm was to keep an eye on the books and finances.

Enter Moe Smithy, a lawyer at that firm.

He took over the position of overseer, and then Megan's mother, now in her nineties, was persuaded to turn over her reins as executor.

This decision may have proven fatal, as the Lear tragedy spun its own particular rendition, in Twentieth Century America, in Megan's own family.

Louie, who had Power of Attorney, began to "come over to use the checkbook." According to Megan, her brother Louie, began to forge checks.

So did one of the nieces, as the healthy and younger ones began to feed off the elderly mother's increasing inability to oversee the fate of her estate.

Megan believes her brother Louie forged in the neighborhood of \$300,000.

*Clearly the oversight provided by Attorney Smithy was not adequate.*

On learning of Louie's activities, the brother, George, attempted to have him jailed. George began to collude with Attorney Smithy.

He enlisted the help of the overseer, and instead of nipping the avaricious and illegal activities in the bud, their actions only escalated the problem.

Attorney Smithy made the decision to pay out of the mother's accounts to cover what had been taken, in order to quiet this down. But the thieving did not stop.

And Smithy let it go on, under his oversight. Megan believes that he let it continue so as to use this as a reason to put the mother under guardianship, claiming that the mother was not competent to handle her own affairs, when it was, in fact, Attorney Smithy that let the thieving continue, on "his watch."

Megan reports that the Louie was threatened and that his criminal activities were held over his head, in order to secure his backing of the guardianship.

George had become friends with one Dick Cheney, now Vice President, and Megan reports that a Bush -team attorney was assigned to "have a little talk" with Louie.

A petition for conservatorship was filed.

The conservator was to be the brother, George.

Megan, who was at that time substantially moneyed herself and quite worried about what might be going on, desired for herself to become the conservator.

She was kept out of court for the hearing, having been informed that only one family member could be present. At the last minute, George deferred his interest in the guardianship, and a friend of the judge was appointed.

The conservator only saw the mother twice in the seven months of guardianship. The bill he presented to the court was for \$97,000. Megan was able to get that reduced to \$37,000. The real cost, however, was her mother's life.

## **ISOLATE — IMMOBILIZE — EUTHANIZE**

“Mom just wasn’t dying fast enough,” states Megan, and those who had the family fortune in their sights needed to do something about that, in order to secure the money.

Over protestations from Megan, the mother was trundled into a nursing home, and the law firm that her father had founded began to move against both the mother and Megan, who was becoming increasingly concerned for her mother’s well being.

**False and damning testimony was made against Megan, and a typical weapon in The Arsenal of the Guardian was deployed - Restraining Orders, were issued against her, in an attempt to keep the mother isolated from the watchful eye of the concerned daughter.**

**According to Megan, the mother went down hill fast.** She later discovered why.

Without ever even seeing his patient, the Doctor (who would receive his pay from the estate, via the conservator, who was now working closely with George and Smithy), began to prescribe drugs for the mother which were unnecessary and further debilitating. Megan states that two drugs, in particular, sealed her mother’s fate. Digoxin was prescribed, as well as Tequin, which has now been removed from the market. Both of these drugs impact kidney function, which is precarious in many elderly people.

“Mother was catheterized,” says Megan, an act supposedly to relieve stress off the nursing staff, as the mother was incontinent. This required the administration of more drugs, for catheters predictably induce infection. So the mother was also placed on maintenance doses of antibiotics, further impacting her immune system.

The mother was only in the nursing home a few months before Megan received a phone call from Louie, stating that the mother was dying. Megan had been disallowed by the guardian to view the medical records, and later discovered that the mother had been given a lethal dose of digoxin, which had induced kidney failure.

Megan and Louie joined forces to get the mother released from the nursing home, and brought back to her own residence.

The conservator objected to this, and Megan recalls him striding into the courtroom, insisting that he had an operating room ready for the mother. He had ordered a feeding tube surgically implanted in her, insisting that she was refusing to eat.

The death rate for patients with feeding tubes is actually higher than for those without.

And Megan, finally allowed to visit her own mother, recalls how gratefully and readily her mother ate the food and soup she cooked for her.

She believes that her mother was being drugged and starved to death.

The judge ordered the return of Megan's mother to her own home. With a tremor in her voice, Megan recounts how the ambulance pulled up, and delivered the mother, at last, into her own bed. She lived only three hours.

**And then the money war began, a war in which Megan was threatened by lawyers, demonized in court, and her substantial wealth eroded by attacks through the legal system, as the law firm, founded by her father, sought to *destroy* her .**

The firm also took control of the father's papers, which Megan believes were nearly priceless, due to the political connections and legacy of her father.

**Property which she had stored with her parents was stolen or vandalized.**

**Her own money, garnered and earned through her own work, was drained off as she sought to protect her interests and name, through escalating attacks by what she ironically calls "The Big Law Firm."**

This story raises serious issues.

**The Commandment to "Honor thy Mother and Father" is obviously being gutted here, with "honor thy mother and father's *cash*" replacing the Fifth Commandment. *And where is the legal and judicial oversight?***

**And why is the *one* individual who acted with Honor now demonized and under attack?**

Unfortunately, it appears that this story is hardly singular.

**In probate courts across our nation, teams of lawyers and conservators are gaining control of the finances and very lives of elderly and vulnerable men and women, and bleeding the estates in their own pursuit of wealth.**

**The victims of this process are often isolated. When there are heirs, the heirs are often pitted against each other and mercilessly exploited for the personal gain of the lawyers/conservators.**

According to her daughter-in-law, Lee Peters had been an exceptional woman. Stunningly beautiful, she had made her career in costuming for TV and film. Following her husband's death, she had raised her four children, eventually re-marrying a man eighteen years her junior.

In the mid 1990's Lee began to exhibit signs of dementia and started to lose her sight. Her marriage fell apart and her husband left her. Her son Casey took over a care-giving role, taking Lee to medical and other appointments. He moved back into the family home in order to better care for his mother.

**The two other sons (the sole daughter had died some years prior) began to attempt to manipulate Lee to revoke her will and sign other legal documents in order to ensure their financial future.**

They set up a Trust, naming as Trustee the wife of Stephen Peters and an unrelated attorney, Nora Hamill, who was a close associate and advisor of son, Michael Patrick Peters. Hamill had previously been suspended from the Illinois Bar for misconduct.

Marilyn Peters, Casey's wife, **unequivocally states that these parties began to loot the Trust. Lee's house had accumulated in value, and was worth in the neighborhood of \$900,000.**

**In an attempt to seize possession of the house, Michael Patrick moved his mother to a board and care.**

When this proved unsatisfactory, Lee moved back home and was immediately **threatened with eviction by her own offspring.**

**"They were trying to starve her out," reflects Marilyn Peters.**

In an effort to protect Lee from further threats of eviction, Casey Peters applied in Los Angeles Superior Court to be conservator of her person only. He would thus have no access to Lee's money, but would be able to impact such matters as where Lee would live.

**Lee had repeatedly stated *she wished to remain in her own home,* and Casey and Marilyn were, at that point, caring for her in her own residence.**

In this manner, Casey believed he would be able to protect his mother from threats of eviction and unwarranted moves.

A reasonable gesture, this turned out to intensify the problems, as The State's CONSERVATORSHIP MACHINE geared up to make mince-meat out of the elderly, blind and incapacitated woman.

As occurs in these proceedings,  
an attorney was appointed to "protect the interests of the proposed conservatee."

As is often typical in these proceedings,  
the attorney's actions plunged his client into debt and further negatively impacted her ability to remain at home with members of her own family caring for her in her home.

A new Judge took over the case, and Lee's situation began to plummet towards disaster.

Judge Aviva Bobb appointed a professional conservator,

Frumeh Labow. This conservatorship lasted barely a year, and Labow resigned after accusations by Casey and Marilyn Peters that she was failing to attend to Lee's most basic medical needs. LaBow charged \$30,000 for her services. LaBow's attorneys, Weinstock Manion Reisman Shore and Neumann, charged \$70,000. LaBow was also featured in the L.A. Times expose on the conservatorship problem. On file in Lee's conservatorship case is concern by Casey and Marilyn that Lee has developed "purple legs."

On recommendation by the conservator, Lee had been removed from her own home and was living in an assisted living facility.

The facility utilized unlicensed attendants with no medical training. Marilyn Peters has repeatedly stated that concern about the discolored legs was ignored, first by the conservator LaBow, and then by the facility and Judge Bobb. Casey Peters had made a motion in Los Angeles Superior Court that Lee be seen by her own doctor, but this motion was denied by Judge Bobb.

Lee Peters passed away on December 28, 2006 of a blood clot which had migrated from her legs to her lungs.

Upon her death, Casey and Marilyn Peters were evicted from the family home by Casey's brothers with fifteen minutes warning and ended up homeless and destitute in Los Angeles for five months, before finally saving enough money to rent an apartment.

# A CONVICTED FELON HAS MORE RIGHTS THAN A CONSERVATEE

There are certain practices which these stories reveal.

The person put under conservatorship essentially loses the lion's share of his/her rights.

She may no longer control her finances,

where to live or whom to associate with, and

can be quickly be shuffled off to an internment facility, where she will be unable to address, or possibly even realize, the degree of plundering of her assets.

Techniques of intimidation are deployed against concerned and caring parties-- be they family or merely friends.

Restraining orders, evictions and even threats of police reports are regularly deployed against those who may challenge the actions of the conservator.

The end result of this is clear:  
the Conservatee completely loses her dominion over her own life.

In an article to the court by author and journalist Patricia Lambert, she cited the following:

"Until the appointment of this conservator, Amalie was accustomed to exercising her free will, going where she wished, when she wished, seeing whom she wished --  
in short, she was accustomed to having control over her own life.

Now she has none. She is under the thumb of a conservator and an attorney whom she regards as indifferent, even hostile to her wishes.  
She has tried to dismiss the attorney but the judge ignored her letter requesting it.

Now I feel Amalie is beginning to lose hope of ever being free again to make her own decisions.

"The day after I saw her, I came across the following quote (in a LA Times article) from 9<sup>th</sup> Circuit Court Judge Robert M. Takasugi, whose entire family was part of the Japanese internment during WWII. Regarding his father who died at age 57, Takasugi said this:

**"I think he died, if anything, of the stress that was caused by feeling he was totally helpless."**

**Feeling "totally helpless," I fear, is how Amalie is now feeling.**

**And why wouldn't she?"**

**Patricia Lambert was then threatened by the conservator, Melodie Scott, with a Restraining Order.**

**The judge simply ignored Lambert's report and proceeded to rubber-stamp all Scott's motions and accountings.**

The Conservator's Handbook states the following:

"The position of conservator is one of great trust and responsibility.

The court and the conservatee are trusting you to follow the law and to act in the conservatee's best interest.

You should make choices that support, encourage, and assist the conservatee's capabilities and wishes..." (page 2, Conservator's Handbook).

The court, in fact, is charged with far more than "trust."

Recognizing the potential for abuse in granting a stranger dominion over a vulnerable person's affairs, the courts are charged with oversight.

**THE BEAT GOES ON :**

**The reality is that the probate courts are rubber-stamping all decisions as well as all accountings by the conservators, in what can only be considered COLLUSION, rather than negligence, on the part of the probate court.**

In 2001, Retired Riverside County Judge William Sullivan pleaded guilty to seven misdemeanor charges of making improper financial dealings in probate cases.

He had presided over most of Riverside County's probate cases between 1987 and 1999, and had retired only upon learning he was under investigation.

This capped a public scandal which rocked the Inland Empire, the Bonnie Cambalik affair. **Cambalik was a professional conservator**, and for over twelve years was at the helm of her own firm, West Coast Conservatorships.

Christopher Mannes, in an article in the California Lawyer Magazine, referred to Cambalik as “a high-society supporter of the arts with a taste for fine jewelry.”

**Cambalik had embarked on a systematic scheme to pad her own pockets with the funds of her helpless Conservatees.**

**Due to the diligent efforts of three individuals in far-away San Francisco, Bonnie Cambalik, was sentenced in 2000 to 26 years in prison for defrauding Conservatees.**

Her lawyer, Michael Molloy, was sentenced to more than 16 years in prison for advising Cambalik in the thefts. Sullivan was the Judge presiding over most of Cambalik's cases.

Sullivan was ordered to pay \$27,000 in fines and perform 1,000 hours of community service. It appears that his fraud amounted to around \$1 million.

Sullivan resigned the State Bar, and the Commission on Judicial Performance also publicly censured Sullivan and barred him from receiving an assignment, appointment, or reference of work from any California state court.

Consider the situation of E. Joan Nelms. She has served as a judge pro-tem in the San Bernardino Court system, where she has regularly heard her own firm's cases, in *obvious conflict of interest*. A compilation of these was submitted to the California Attorney General's office. At this time, Nelms is still serving as Judge Pro-tem in that district.

**Jeff Golin has been battling in the courts for over six years.**

**He has now filed a Civil Rights Lawsuit against the County of Santa Clara,** who removed his grown autistic daughter from his care.

Golin is alleging wrongdoing by the County, San Andreas Regional Center, the City of Palo Alto, Stanford Hospital and others, whom he states **created false records in order to trump up charges against him and his wife, for the purpose of removing Nancy Golin from their home.**

The Golins have set up a comprehensive website –freenancy.com, which contains the story of Nancy's life with her parents the “**kidnapping by the State,**” court documents, and regular updates.

At this date, all judges in Santa Clara County recused themselves from the case, as one of the defendants in the case was appointed to the bench by Governor Arnold Schwarzenegger.

And in 2006, Schwarzenegger also appointed one Mark Mandio to the bench in California Superior Court. Mandio had been the point-man in the Riverside D.A.'s office on elder abuse cases, and had a history of dropping the ball on reports of conservatorship abuse.

His reward for contributing to the problem --

he was mandated to address was a plum appointment, and Mandio is now sitting on the bench in Riverside Superior Court.

Neither the Riverside D.A.'s office nor the office of the Presiding Judge of Riverside Superior Court responded to phone calls from TAB requesting input on allegations against Judge Mandio.

Barbara Jagiello, a San Francisco lawyer who was pivotal in putting Bonnie Cambalik behind bars, has this to say about

**The failure of the judicial system in adequately protecting the elderly from abuse by court appointed conservators:**

"What we saw with Bonnie Cambalik is that

**These professional fiduciaries and conservators become so well ensconced that there is no one you can go to and complain. And that is the real problem.**

**The judge is used to seeing the same conservator every day.**

**The court- appointed counsel won't complain because he works with the conservator in other cases.**

**The caregivers won't complain because they will lose the account.**

**The nursing homes won't complain because the conservators will pull all their patients out of that home.**

**It becomes a closed circuit, and there is a disincentive for someone to say, "Something's wrong here."**

When I got behind the scenes with Bonnie Cambalik, everyone told me

**"We all know what they are doing.**

**We can't do anything about it, but we all know."**

## **ELDER GUARDIANSHIP/ CONSERVATORSHIP : A WELL-OILED MACHINE**

### **Tapping the assets of the elderly is a growth business**

The *idea* behind guardianship/ conservatorship is to protect older citizens.

But guardianship/ conservatorship has become a place where quiet, desperate disasters happen daily, often touched off by a single phone call.

In the middle of an unprecedented national longevity trend, half of all Americans 85 and over are believed to experience significant cognitive decline.

Many of them with enough assets to make them attractive to scammers and cheats, others outliving their savings and utterly dependent on the state.

The guardianship/ conservatorship industry has cobbled together a way to identify and care for "helpless" elders, using the probate court system to place them under guardianship /conservatorship.

Critics say this system — easily set in motion, but notoriously difficult to stop — often ignores basic individual rights. Most of it plays out in secret, with probate court hearings and files typically closed from the public.

In the wills, trusts and estates arena we can attempt to work around this problem by largely opting out of the public court system via mandatory arbitration clauses in our wills and trusts.

The guardianship /conservatorship arena doesn't lend itself to the same privatization solution. Which means we'll need a *legislative* fix.

As reported by the Florida News Service in **Bill Seeks To Stop 'Cockroaches' From Preying On Seniors**, the Herald-Tribune investigation into this is already generating a good amount of legislative activity in Florida.

A Senate panel on Thursday unanimously approved a bill aimed at protecting Florida seniors from predatory

**"professional guardians/ conservators," described by one lawmaker as "cockroaches."**

# ELDER ABUSE

Among our greatest challenges as a nation today is making America a safe place to grow old.  
- Lisa Norenberg

**TUESDAY, NOVEMBER 13, 2012**

**The new cash cows: Elderly with assets**



If Adult Protective Services was actually focused on protecting vulnerable adults, they have only to look to our streets that are littered with homeless, hungry and many times disoriented adults of all ages who desperately need help and protection.

But.... these people have no money, and no estates to loot. APS steps over these individuals in order to get to those who have assets.

In every state organized crime rings are operating involving the same judges, predatory guardians, attorneys, Adult Protective Services personnel, medical personnel, and participating facilities who will violate the rights of an elderly or disabled victim in exchange for payment or personal profit.

*"This system of theft will continue until the entire estate has been stolen leaving the victim penniless. At this point, Medicare and Medicaid are used as the cash cow to cover medical expenses and the inflated charges of nursing, the doctors' visits and vast amounts of medications are charged off to these services costing these services millions each year in padded billing."*

If predatory guardians were actually concerned about the health and welfare of their victims, there would be no need to physically kidnap, isolate and forcibly medicate these people and then to proceed on to steal their life's savings.

**OF WILLS, TRUSTS AND OTHER LEGAL INSTRUMENTS**

Overseeing the looting of an estate is a probate judge who is well aware that what is happening has nothing to do with the health, wellbeing, or welfare of the victim, but who can be depended upon to facilitate the predators. It is all about the estate, how much it is worth and who will gain access to it.

Advance planning instruments for retirement dictate the victims plans for their property such as wills, trusts, insurance benefits, savings accounts, investments, land titles and other assets. These instruments are routinely discarded by the probate judge and declared void even though the judge has no actual lawful authority to do so.

This is done after the victim has been forcibly medicated with drugs such as Zyprexa or Seroquel in doses so high that the victim is unable to function even minimally. It is in the state, and known to the judge to be drug induced dysfunction, that the victim is declared [Incompetent]. *[Even if the victim was in actuality at that moment in time, incompetent, the judge has no authority to void or discard previously created legal instruments. This would assume, without any factual basis, without hearing or relevant testimony and evidence that the victim was always incompetent and unable to judiciously construct their own estate; a determination clearly not possible.]*

Several techniques are used to coerce the victim and to blackmail the family members or friends into silence. Emotional blackmail, consisting of isolating the victim and then accusing family and friends of being a danger to, or having abused the victim is most common.

Multiple abuse charges are levied against family members or friends of the victim who might attempt to rescue them from their kidnapers. In many instances **which have been documented**, the predators have no knowledge of any abuse, of any kind, by anyone. Still, the charges are made and the cooperating probate judge for some reason needs no evidence to be supplied by the predators to support these allegations. In most cases, the predator is a stranger not only to the family and friends, but to the victim them selves.

In these same situations when actual investigations into the charges determines the charges are unfounded, these stay on the probate court record as if they were in fact, true. They are then repeated as if they were fact at every opportunity causing further defamation and personal injury to the family members.

[In one particular county in Florida, one predatory guardian has made the same ver batum charges

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[In one particular county in Florida, one predatory guardian has made the same ver batum charges

against 18 various family's and friends of 18 guardiansized victims from whom millions in estate assets have been looted. At no time has the predator produced anything other than their own personal testimony to support the charges levied].

### None of this benefits the "ward"

Adult Protective Services (APS) operates on either a quota system or on a commission system, just as Child Protective Services does. This means X number of bodies must be processed in order to garner federal grant monies, and reimbursements as well as state funding. Projected annual budgets for operating APS include a projected number of victims, rising with each year of projection. Job protection and security are necessarily factored into these projections.

APS must adhere to various performance indicators that will meet the minimum return needed to qualify for funding. Failing to do so will result in the withholding of payments and could eventually find them in non-compliance and out of funding altogether.

An APS goal is to insure that all older Americans have the opportunity to live independently, with dignity, in their homes and communities for as long as they are able and choose to do so. This is the goal possibly, but the reality is that this will most likely not happen if these same older Americans have amassed any sizeable estate. Once identified as having assets they are targeted by the predators. Various offices of APS in several states and communities, have been implicated repeatedly in the flagging of potentially wealthy individuals whose estates could be exploited.

Preying on the elderly who committed the crime of aging/with assets, has become a lucrative and government sanctioned vocation. Across the country, in every state and community are rings of professional predators who make their living targeting elderly individuals whose estates can be looted under the guise of guardianship or conservatorship. Akin to a flock of vultures picking the bones of a dead carcass, professional predatory fiduciary's, unethical lawyers and a host of government agencies and personnel begin chipping away at the estate, each of them billing the victim's estate for supposed services rendered.

Any and all assets of the victim [now a so-called ward of the state], are immediately transferred to the victim's new owner.....the guardian. Titles to homes are transferred to the guardian and quickly sold for pennies on the dollar to friends and co-predators or they might be sold at market value. Either way, the proceeds go

directly into the predators private accounts supposedly to benefit the ward, of course.(sarc) Stocks, bonds, investments, savings, personal items are now all in the possession of the predator to dispose of and profit from.

### **In the meantime?**

The victim is held in a participating facility that is willing to isolate, medicate and violate the rights of the victim in exchange for payment. This forced imprisonment of elderly victims amounts to torture.

### **Who ya gonna call?**

You might as well call "Ghostbusters" on this one. There is not a federal or state representative or senator who will address this issue. Most will not even admit to having any knowledge that these criminal rackets are operating right under their noses.

The Department of Justice has been made aware, along with the FBI, states attorney's general, governors, and all levels of local law enforcement. Not one of these agencies will act to protect the victims from these criminal rings.

*"Law enforcement agents, social workers, and judges have all been trained to maintain a watchful eye over exploitative family members. Yet no one seems to be guarding the guardians. Family members have complained to local law enforcement, the state attorneys' office, and even the F.B.I."*

Judicial oversight boards have been notified, and have been sent court documents clearly exposing the civil rights violations, judicial indiscretion and abuse, and the ongoing harassment and intimidation perpetrated by probate judges on behalf of and to protect the predatory guardian against family's and friends of the victim. In several instances, family members are threatened with jail, told they cannot file any charges, cannot call the police, cannot report the abuse by the predators. Predatory guardians have been given immunity from prosecution for failing to report accurately and timely, for falsifying court documents and reports, for emotionally and physically abusing the victim and for violating state and federal regulations and statutes regarding the rights of the victim.

In every instance of the submission of evidence showing the blatant corruption of the probate court and

the collusion of the judge, predatory guardians, attorney's and others, the boards have upheld the corruption.

In my opinion, what is happening to the elderly in this country is government sanctioned human trafficking. Our elderly are being treated as commodities and are referred to as "units" or "human property". This is nothing less than organized criminal racketeering operating within government agencies and offices and with the full knowledge and cooperation of every level of government.

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# The Scale of Financial Abuse of Seniors Will Shock You

By [Dan Dzombak](#) | March 22, 2015 | [Comments](#)

## Financial abuse of senior citizens has been estimated to cost its victims \$2.9 billion a year.

It is hard to estimate the scope of the problem, as FINANCIAL ELDER ABUSE is grossly underreported due to embarrassment, hopelessness, or the victims' lack of awareness.

With new, detailed financial data collected from families of older Americans, however,

a study has now estimated that *the problem is over ten times worse than previously thought*, and that 37% of seniors are affected by financial abuse in any five-year period.

Read on to see how really bad the problem is, the surprising factors that put elderly at risk.

## Financial abuse of senior citizens

True Link Financial, a fraud protection company for seniors, worked with experts at the Financial Fraud Research Center at Stanford to estimate the cost of financial abuse of elder Americans using survey responses from 467 families from the past five years.

ELDER FINANCIAL ABUSE is defined as "any time that someone took financial advantage of an older adult in a way that would not have been possible when the senior was younger."

Unsurprisingly, they found that criminal fraud is a big problem, with 44% of seniors reporting being targeted over the past five years and 8% losing money to criminal fraud. This costs seniors an estimated \$13 billion a year overall, with an average five year loss of \$13,100.

A second problem is caregiver abuse, which costs seniors an estimated \$6.5 billion a year.

This is theft or fraud perpetrated by a family member or other trusted caregiver, and includes outright theft, rewritten wills, and borrowing money from seniors hoping they will forget.

The typical average theft in this case -- \$27,000 -- *is larger than the other types of financial abuse.*

## The biggest problem

The biggest problem, though, is "questionably legal" financial exploitation.

I say "questionably legal" as this is exploitation that works within the letter of the law, while taking advantage of older people. This costs seniors an estimated \$17 billion a year.

The study defined financial exploitation as "when misleading or confusing language is used, usually combined with pressure and tactics that take advantage of cognitive decline and memory loss -- to obtain a senior's money."

This form of ELDER FINANCIAL ABUSE may be committed by unscrupulous "legal professionals" such as elder law attorneys, financial managers, estate planners, brokers, etc.

# How A Fraudulent Guardianship/Conservatorship Commences And Continues

by Angela V. Woodhull, Ph.D.

Originally published in PPJJ Gazette  
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This site is supported and maintained by the Equal Justice Foundation.

Added January 27, 2011

Last modified 6/17/13

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## **Step One: Eminent danger —The initial court petition**

The professional guardian {or conservator}, with the assistance of her attorneys, commences the embezzlement process by filing an emergency petition in the probate courts to become the "emergency" "temporary" guardian.

Florida guardianship statutes (Chapter 744), like many states, require that there be an "eminent danger" in order for the petitioner to become the "emergency temporary guardian."

The guardian oftentimes fabricates the "eminent danger" by stating that there is a neighbor or relative or stranger who is taking advantage of the elderly person. In some cases, this may be a somewhat true statement, albeit an exaggerated claim. In most cases, upon further investigation, there has been no "eminent danger" whatsoever.

Step One takes away all of the victim's civil rights and therefore gives the guardian and her attorneys full control over the victim and his or her assets.

## **Step Two: The examining committee**

Once the professional guardian has taken control of the victim on a temporary basis the emergency temporary guardianship order expires. Medical "professionals" step in to "verify" the allegation of mental incapacity. Oftentimes, the victim is administered a cocktail of psychotropic drugs to enhance the claims that he or she is incompetent.

"Ward" Elizabeth Faye Arnold, for instance, stated, "They put me on drugs that made me feel very drunk. I couldn't even remember my name. Now that they have all my money, they don't medicate me that way anymore." One of the three medical professionals must be a psychiatrist and the victim is generally always found to be mentally incapacitated. The guardian usually has her own set of medical professionals that she utilizes on a regular basis. For instance, one professional guardian is married to a medical doctor and therefore has an entire fleet of medical professional associates available to her.

Back in the courtroom, soon after the medical professionals file their reports, there is a capacity hearing. The victim seldom is permitted to attend this hearing. The judge quickly scans the medical examinations that "verify" that the victim is "mentally and/or physically incapacitated." The judge then signs an order that gives the professional guardian full and permanent legal authority over the victim's person and property.

## Step Three: The "feast" begins

Property is sold for below market value and the deeds switch and switch several times, (kick 'ba common, suspected).

Bank accounts, annuities, stocks, and Certificates of Deposit are liquidated into one big guardianship acc

Out of this large bank account, the guardian is expected to pay all the victim's, but bills oftentimes go un

## How the victim's money is spent

### 1. Attorney's fees and guardianship fees for "Services Rendered to 'Benefit' the 'Ward"

A large part of the victim's money is spent on attorney's fees and guardian's fees. As long as there is ample money in the victim's guardianship account, the guardian and her attorney cohorts will file motion upon motion after motion to the courts such as:

- A motion to sell the ward's furniture.
- A motion to liquidate stocks and Certificates of Deposit.
- A motion to transfer the ward to a different nursing home.
- A motion to sell the ward's homesteaded house.
- A motion to open up a safety deposit box.

A large part of the victim's money is spent on attorney/guardian fees. As long as there is ample money in the victim's account, the guardian and her attorney cohorts will file motion upon motion after motion to the courts

Each motion can cost the "ward" in excess of \$2,000 because the motion must be written, researched, and then a hearing is scheduled. Oftentimes, the motions cost more than what is being petitioned for.

### 2. Puffing the monthly budget

### 3. Selling the "Ward's" personal belongings for below market value then pocketing the difference

The guardian underestimates the amount of the sale of personal items, such as jewelry, paintings, and antiques, for purpose of the court record inventories, then is free to keep the difference. There is little and often no court oversight.

### 4. Bills are simply not paid

Oftentimes, the bills of the "ward" are not even paid. When the "ward" dies, the guardian simply places an ad in an obscure newspaper, if there is money left for an estate to be probated. Assuming creditors do not see the ad and file a claim against the estate within 30 days, their claims are forever barred and so the guardian was able to fool creditors and abscond with the money and not have to pay any of the bills. If she is caught, she simply pays the bills of the creditors who caught her. This frequently includes Medicaid.

### 5. Accounting is not accurate

The guardian claims a much lower amount of liquid assets than what the victim is actually worth and then pockets the rest.

Examples:

- Julie Sweeten—\$400,000.00 estate with an alleged \$80,000.00 remaining when Sweeten died. More than \$300,000.00 was spent in three years.
- Louise A. Falvo started off with approximately \$800,000.00. Two months into the guardianship, her guardian filed an accounting with the court stating that Falvo was worth only \$872,000.00. Shortly thereafter, a bank statement from Bank of America stated that Falvo now had \$449,000 after all accounts had been liquidated. So, approximately \$200,000 turned up missing.

### 6. Fake wills

In this scenario, the guardian claimed that Julie Sweeten desired to leave her estate to her bank. A forged will was entered into the record. Wachovia Bank trustee was then given \$80,000 from the uncontested, probated estate.

## Step Four: The mysterious deaths

Once the funds have been spent, the "ward" oftentimes suddenly dies.

or The "ward" dies when there is still plenty of money — If a huge probate battle can commence, thereby further enriching the attorneys and guardian.

Examples:

Carlisle Bosworth died soon after his \$250,000 had been spent.

James Deaton — \$5 million, three years in probate — \$3 million in attorney's fees with a pittance finally paid out to his family members.

NASGA, National Association to Stop Guardianship Abuse, has adopted a three part theme to succinctly describe the legally sanctioned exploitative guardianship process:

## Isolate, Medicate, Take the Estate.

### Predatory guardians: How courts are allowing professional guardians/conservators to rob your assets

#### Examples:

- Marie Long was worth \$1.3 million when she suffered a stroke and came under the "protection" of a professional guardian. Three short years later, she is penniless and subsisting off of a meager social security pension and Medicaid.
- Louise A. Falvo, 91, had accumulated nearly one million dollars when she was placed under a guardianship that was commenced with a forgery of her daughter's signature by a probate attorney. Within three months, Louise A. Falvo was dead. Two and a half years later, the guardianship remains open. The guardian and her attorneys have, to date, been awarded by the judge more than \$350,000.00 of Falvo's estate — "to benefit the ward" — who is deceased.
- Corretta Brown was placed under guardianship when the Department of Children and Families discovered that her home was uninhabitable. Today, Brown is deceased, her assets have disappeared (more than \$100,000), and all of her debts — totaling more than \$75,000 in nursing home costs, remain unpaid. The professional guardian, it was discovered, was not licensed and has since fled the state of Florida with Brown's assets.
- Marie Sandusky signed a power of attorney to guarantee that her beloved daughter, and not her rejected son, would manage her financial affairs and health care directives. Today, Sandusky has a court-appointed guardian who has spent more than \$300,000 of Sandusky's money in attorney's fees. The reason? Sandusky's rebuked son hired an attorney and together they made false allegations against Sandusky's beloved daughter. As the "wheels of justice" move forward, Sandusky's money is legally used to fund the frivolous feud.
- Debra Duffield, 58, has been under the control of a professional guardian for the last four years. She was only 54-years old when an involuntary guardianship was petitioned against her by a professional guardian who gleefully discovered (tipped off by a social worker) Duffield's substantive worth when Duffield was hospitalized for anorexia and a broken hip. During the last four years, the vast majority of her assets have been converted to attorney and guardian fees. Duffield, who was diagnosed as merely bipolar, had allegedly been financially exploited by a friend — hence, the rationale for the guardianship. She is confined to a nursing home without rehabilitation. She sits in a bed, smelling of urine and fecal matter, watching television. The guardian and her attorney regularly and steadfastly bill her account for merely "reading her file" or checking on the latest whereabouts of her former girlfriend. Soon, Duffield, who once owned a fabulous house complete with expensive antiques, valuable imported rugs and fine paintings, will be penniless.

When you hear the word "professional guardian," what do you think? Do you think of someone who protects the elderly? Assists them with their daily needs? Guarantees they are protected from financial exploitation and physical neglect?

#### Think again.

The pristine image of professional court-appointed guardians who allegedly protect the elderly is being challenged. Grass root organizations, such as the National Association to Stop Guardian Abuse (N.A.S.G.A.) and Advocates for National Guardianship Ethics and Reform (A.N.G.E.R.) are claiming that professional guardians, their attorneys — and even judges — need to be watched.

May 25, 2010. Latifa Ring of Elder Abuse Victims Advocates addressed the Committee on the Judiciary, Subcommittee on Crime, Terrorism and Homeland Security stating, "... exploitation in guardianships is rampant. It is largely kept out of the public eye under the guise of 'protection.'"

"Family members are portrayed as 'Osama Bin Laden' or the devil incarnate," David Newman said, a guardian reform advocate.

These "unproven and often false allegations" commence a flurry of legal activity that can only be likened to Charles Dickinson's Bleakhouse. While family members are forced to spend thousands of dollars defending themselves against the false accusations, these same accusers — oftentimes, the professional guardians — handsomely profit from the legal havoc they create.

The guardians need to be watched

## The legal contest commences

Instead of making arrangements for their safe return home, Kevin Gallagher suddenly found himself furiously searching for Florida attorneys. Meanwhile, the guardian's legal counsel quickly filed papers to block Kevin's attempts at removing his parents from Florida. A hotly contested guardianship soon commenced with attorneys from both sides legally authorized to generously spend themselves from the Gallaghers' assets.

*"The story is always the same," states Newman, a guardianship reform advocate. "A family member fights the guardianship; the family member later wins the contest — when all the assets have been spent in attorneys' fees."*

Three years passed. Kevin found himself switching attorneys four times in an attempt to get the legal nightmare to stop.

Then, suddenly, it did stop. Kevin was declared the winner of the contest.

## All of the assets had been spent.

*"They then placed my parents on a airplane with a single suitcase with a broken zipper," Kevin stated. "Inside the suitcase were tattered clothes that had the names of other people in Magic Marker inside the clothes. Everything they had owned — even the clothes — had been sold or trashed by the guardian."*

*Both Elsa and Robert died shortly after returning to Maine.*

## Family feud — or — an open invitation for fraud?

Corina Branson, 82, had been happily living in Miami Beach with the daily assistance of a CNA when her grandson secretly petitioned the court to become his grandmother's guardian. When Branson learned that she was to be moved into a nursing home, she quickly phoned her beloved daughter, aunt to the grandson, who had been granted a springing power of attorney many years before. Bonnie Reiter, with little knowledge of guardianships or guardianship law, quickly hired an attorney who suggested that a "professional guardian" be appointed during the interim legal contest.

It turned out that the guardian he suggested works with him on a regular basis. Reiter fired her attorney, hired another, and then moved for a court hearing which her mother planned to attend.

*"Two weeks prior to the hearing, my mother ended up mysteriously dead," Reiter stated.*

The guardianship remained open after Branson's death with Reiter, alone, having spent \$130,000.00 in attorneys' fees.

*"They took more than \$800,000 of my mother's money in attorneys' fees. The guardianship, in which my mother had never even been declared mentally incapacitated, lasted less than three months. This is a racketeering scheme that needs to be investigated. The F.B.I. should step in."*

## Different Names, Same Story

- An Orange County court auditor discovered \$50,000.00 missing three days before the ward died. The judge ordered an "Order Show Cause." Prior to the hearing, the guardian and her attorney simply brought back the missing money and placed it back with the court. The judge dropped the scheduled hearing.
- Court records show that the guardian received \$12,000 a month to pay the nursing home bills for Carlisle Bosworth. However, the skilled nursing home facility where he was placed charges only \$6,000 a month. No investigation has ever been conducted regarding what happened to the extra \$6,000 per month. Bosworth died shortly after all of his money had been spent.
- Marion Copley was placed on Medicaid — even though her guardian sold her home for more than \$250,000.
- In another case a professional guardian petitioned the court to become an elderly woman's guardian when she discovered the woman had no living relatives. She told the judge that the woman, who was still living independently in her home, had "bats flying all over the inside of the house." The allegation resulted in a guardianship and the victim was removed from her home. Neighbors later stated that they had never seen "bats flying all over the house."
- In yet another case a professional guardian obtained a guardianship over Christian Van Beekum stating that neighbors had exploited him. A quick search of the property records showed that the neighbors who had allegedly exploited Van Beekum had actually sold their home and moved to another state six years prior.
- James Deaton had owned an extensive coin collection, an expensive baseball card collection, and his deceased mother's diamond rings and pearl necklaces, according to relatives. None of these items were ever listed on the guardian's inventory report.
- The Denver Post has several times (2010, 2011) published investigative reports exposing the problems with the probate court there.
- In July 2012 World News posted a video by Lisa Flurie and story about what has been done to her brother Mark in Florida probate courts. Links to many other stories of guardianship/conservatorship fraud are available there as well.

Law enforcement agents, social workers, and judges have been trained to maintain a watchful eye over exploitative family members. Yet no one seems to be guarding the guardians. Family members have complained to local law enforcement, the state attorneys' office, and even the F.B.I. without any significant action being taken.

The problems grow worse with time as the probate courts become ever more dysfunctional.

Take, for example, the recently widely publicized case of Clay Greene and Harold Scull, a gay couple who had cogently cohabitated together for more than 20 years, rendering mutual durable powers of attorney, wills, and other legal declarations upon one another. When Scull, 89, unexpectedly fell onto a stone patio, paramedics were called and the local sheriff department hastily alleged that Greene had intentionally shoved Scull to the ground. Yet, despite the fact that all charges were subsequently dropped, the public guardianship office for Sonoma County used the already disproved physical abuse allegation to commence an involuntary guardianship against Scull. Scull was removed to a nursing home, isolated him from Greene, and the couple's jointly owned property which included valuable paintings, expensive Persian rugs, antiques, silverware, jewelry, and real estate — was sold for far less than appraised value — at least according to the court records. It was later discovered that the items had been sold for far more by the public guardianship office.

These types of guardianship irregularities have sparked a guardianship task force Special Committee on Aging, which reported, "...guardianship...has the potential of harming older adults rather than protecting them...The...continuing reports of the failure of courts...to prevent [financial] exploitation of incapacitated adults by their guardians have long been of concern to this Committee."

Greene sued the public guardianship office who settled with him for approximately \$600,000.00 just days before trial. Amy Todd-Gher, Greene's attorney, stated:

"This victory sends an unmistakable message that all elders must be treated with respect and dignity...and that those who mistreat elders must be held accountable. [But] Even as we celebrate this victory...we are deeply troubled that the Sonoma [County] continues to refuse to take responsibility for their egregious misconduct...We urge every citizen...to demand more oversight of the Public Guardian's office. They need to be watched."

## An alarmingly common practice:

### Is elder financial exploitation by professional guardians and their attorneys a commonplace occurrence?

According to John Caravella, a former detective and office manager for Seniors vs. Crime, a special project of the Florida Attorney General's Office, Gainesville, Florida, the answer is "Yes."

Caravella became simultaneously intrigued and disturbed by the court-sanctioned practices of professional guardians on their "wards" (the legal term dubbed to those who have lost all of their civil rights under court-mandated guardianship) when one of his neighbors mysteriously disappeared shortly after receiving an inheritance of more than a quarter of a million dollars. The neighbor, referred to as "Adele" in Caravella's book, Marked for Destruction, had been falsely induced by a stock broker, whom she had consulted about her fledgling inheritance money, to sign papers that authorized a professional guardian and her attorney to manage Adele's finances — if she should become mentally incapacitated. Within a few weeks, the guardian and her attorney petitioned the court alleging that Adele was not competent to manage her own affairs. The court authorized that she be stripped of all of her civil rights and placed in a nursing home. Soon thereafter, Adele's recently acquired \$250,000+ was quickly consumed by the attorney and guardian for "professional services" fees. And Adele soon passed away.

## How it all begins

Kevin Gallagher had a trusted, longstanding pact with his beloved parents: When the time was "right," he would make arrangements for their safe return to Maine where they would reside in assisted living. That "right time" came unexpectedly one day after Sunday services when Robert and Elsa Gallagher became slightly disoriented in traffic when they happen-chanced upon orange cones in a road detour. Kevin and Lisa, delighted to hear that their parents were ready to journey home, began making all of the necessary arrangements. Kevin even phoned his estranged Orlando-based sister, Lori, and asked if she would simply "telephone" Mom and Dad during the interim. The sister, however, consulted the Yellow Pages and telephoned a company, Geriatric Care Management, that specializes in elder care.

## The sheriffs arrive

Within 48 hours a professional guardian, and owner of the elder care company, arrived at the Gallagher's doorstep with a court order and two deputy sheriffs. She had hastily petitioned to become the couple's "emergency temporary guardian" after learning of their substantive assets. Upon her arrival, the couple were forcefully removed from their home and placed in separate nursing home facilities. Mrs. Gallagher, hysterical, secretly phoned her daughter-in-law, her speech slurred, crying for help. She had been forcibly administered psychotropic drugs. Three medical professionals quickly examined her while under the influence of the narcotics, and declared both she and her husband simultaneously 100% mentally incapacitated. The temporary guardian was then quickly appointed the permanent, plenary guardian.

## The guardians first move was to encumber all of the couple's assets.

## How the Goods Are Gotten When the Will Gets in the Way

Involuntary Redistribution of Assets (IRA)	Guarding Against Guardian Abuse	Trust - Should You?	Final Thoughts
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The looting of estate assets, also known as Involuntary Redistribution of Assets (IRA), can occur through the use of various probate instruments - wills, trusts, guardianships, powers of attorney - and with the actual acts configured in different ways. Guardianships or powers of attorney can provide for estate looting while a person is alive, but asset diversion can be perpetrated posthumously via wills or trusts. Whether these acts are instigated by greedy lawyers, disgruntled family members or waneable heirs (or often a combination), the sad reality is that death doesn't necessarily bring the closure one might expect. Death, even with the most meticulous of estate plans, in no way ensures the honoring of a decedent's wishes or heirs' avoidance of IRA.

In December 2006, Austin American-Statesman reporter Tony Plohetzki wrote a special report entitled *Breach of Trust*. In this article, Plohetzki detailed how "Texas estate laws make stealing from the dead a relatively easy crime." These are nothing more than cases of postmortem IRA. He described not only the estate theft activities of Austin attorney Terry Erwin Stock, but Plohetzki also pointed out how Texas probate laws do little to ensure that people's belongings reach those designated in the decedent's will. The article also depicted a loose approach to oversight on the part of some probate judges.

The Statesman report prompted law makers to introduce several reform-oriented bills during the 80th Texas Legislative session. Effective September 1, 2007, SB 593, as per the Texas Senate Research Center, requires the personal representative of a decedent's estate, within a certain time period of an order admitting a will to probate, to give notice to each beneficiary named in the will whose identity is known or, through reasonable diligence, can be ascertained, and to file an affidavit with the court listing the beneficiaries notified. The bill also set out what the notice must contain which is a good thing as estate administrators previously operating on the "honor system" didn't seem to workout so well. This legislation can seem (and might be) a helpful "first step," but as IRA practitioners routinely ignore laws and bypass normal business/legal courtesies, more than an assumption of compliance is needed.

Stock ultimately plead guilty to three counts of felony theft and in September 2008, was sentenced to 15 years in jail. Attempts to reconcile what's due to each estate continue, but as often happens in these cases, heirs will likely recover few of the assets left to them.

It is important to note the inaccuracy of believing these type situations only occur with high-dollar estates. The three estates from which Stock stole had a combined value of less than \$1 million. Another misconception to dispel is the absolute protection provided by "proper estate planning." The estates outlined in the Austin American-Statesman article belonged to people who took the proper steps to ensure the orderly distribution of their assets. They, however, fell victim to IRA due to a betrayal by the attorney they trusted for assistance.

The legal industry won't tell you this, but an estate executor can basically do anything he/she wants with an estate. Realistically, judicial oversight is minimal - most judges believe what attorneys tell them and perform little or no independent follow-up. Heirs believing something is amiss must mount their own challenge. The Stock case was unique in that it was prosecuted as a criminal case, but most heirs pursuing "justice" in an estate dispute are relegated to the civil court system which is a pay-to-play venue open only to those willing and capable of expending significant sums of money for an eye-opening, but rarely confidence-inspiring experience. Steal \$250,000 from a bank, people get excited. Steal the same from an estate, it's hard to get law enforcement or any other officials to care. These points are never lost on today's grave robbers or other property poachers while an unsuspecting heir has no idea the web of deceit and guilemanship into which they are entering with a civil estate dispute case.

Dishonest estate administrators sometimes contrive a dispute to draw legitimate heirs or beneficiaries into litigation requiring their response to be self-funded while the administrator/executor can use the dispute as justification for additional billing against the estate of his/her time along with legal or other applicable professional services.

The threat of legal action can also be used to pressure heirs into forgoing or delaying rightful requests rather than risk being the target of a contrived dispute. It's been called *adversus heredes* litigation tax, but extortion when defined as "illegal use of one's official position or powers to obtain property, funds, or patronage" is also an apt description. Either spend time and money fighting or get out - it's that simple. It's that ugly.

As people's entitlement mentality grows, probate has become an excellent venue for weaponization of the legal system by grave robbers, property poachers, stock looters and walker stalkers looking to divert assets in a manner contrary to the stated intentions of honest, hard-working Americans. Losing the ability to determine the final distribution of one's assets is a tragedy for Americans individually, as families and for us as a country in that the intergenerational transfer of assets has historically helped to strengthen our social and economic fabric.

Reform in this area will be difficult as the legal industry is powerful. However, the stories of estate abuse and probate corruption seem to increase almost weekly and as they do, a generally unsuspecting

## Myths Regarding Our Legal System - EXPOSED!

### Myths Regarding Our Legal System - EXPOSED

"One of the main problems with our system of Justice is the Judiciary at every stage of litigation assumes all prior litigation has been handled thoroughly and properly when usually the exact opposite is true." - A Seasoned Litigant

"I can state with certainty that if you go against the status quo and point out wrongdoing of the Judiciary they will ruin your legal practice and make it impossible for you to win a case." Quoted by a well known lawyer.

The Average Citizen Believes:	Our Legal System Believes:
The laws passed by elected officials constitute the "law of the land."	The laws passed by elected officials <u>plus</u> all rules and procedures of the court including all legal precedents, past practice and case law constitute the "law of the land." If any of these are used to negate the other, "the law" is still being followed.
Rules and procedures of the court, legal precedents, past practice and case law are in place to give force to the will of the legislature.	Judicial decisions are to give force to "the law." It is irrelevant whether rules and procedures of the court, legal precedents, past practice and case law give force to the will of the legislature since rules and procedures of the court, legal precedents, past practice and case law are all "law."
A Judge is wrong if their decision is not giving force to the clear intent of laws passed by legislatures.	So long as a Judge's decision, however farfetched it may be, uses logic that in some form or fashion incorporates some legal reasoning, the decision can be considered legally sound.
The courts are in place to assist Citizens to right a wrong.	The courts are in place to provide a procedure to Citizens. Whether Citizens are able to right a wrong is irrelevant.
The Canons Of Judicial Conduct are rules of behavior that are to be interpreted literally.	Literal interpretations of the Canons Of Judicial Conduct are considered pety and can hinder a Judge from performing their duties.
Due Process' purpose is to bring about a result.	Due Process is a process. A result is irrelevant.
Obtaining Justice is the ability to right a wrong.	Justice is granted if a procedure is followed. End results or "righting wrongs" are irrelevant and would indicate a bias on the part of the Judiciary.
The courts take every precaution to insure Citizens don't go to jail unnecessarily.	So long as Citizens can appeal we consider our job as being done correctly. Whether Citizens are in jail or not is irrelevant.
What if I can't afford an appeal or can't get the issues properly briefed?	Tough. Then you get into what is called the doctrine of finality. In other words, things stay as they are and your "due process" is complete.
The court screwed me in their rulings involving my case.	Most likely what happened is your lawyer, the Judge or opposing council agreed to something either while at the bench, in chambers or at some other time when you couldn't hear what was going on. The court is covered because you were represented. If you were wronged, sue your lawyer.
It is almost impossible to get one lawyer to sue another involving cases like mine.	We know that.
And my Lawyer and the Judge wouldn't allow me in chambers.	We know that too.
So how am I supposed to know what is going on?	You're not. Trust your lawyer.
A lawyer's first duty is to his client.	All lawyer's first duty is to the COURT. [this includes law however it is received, procedures however selectively followed, policies, whims, current practices and appeasing Judges] Many lawyers second duty is to their incomes. The client comes at some point after that.

We are no longer a country of laws, we are a country of creative interpretations of laws!

Due Process as defined by most Judges: "First, decide how you want the case to go. Second, formulate a legal logic to support our decision. Third, manipulate, dissect or eliminate the facts and evidence to support our decision. Then the rubber stamp doctrine of "judicial discretion" will prevent most decisions from being overturned."

Truth as defined by most Judges: "Whatever lawyers say. After all, they have taken an oath when becoming members of the bar. Therefore it is acceptable to assume that the unrepresented may not be saying the truth since they have taken no such oath."

# GUARDIANSHIP /CONSERVATORSHIP

Posted April 11, 2015 - 7:44pm By COLTON LOCHHEAD LAS VEGAS REVIEW-JOURNAL Washoe County Family Court Judge David Hardy, Reno, March 28, 2014. Hardy is a former family law attorney credited with reforming the guardianship system in that county. (John Locher/Las Vegas Review-Journal file)

## Guardianship problems are widely reported but seldom fixed

### Court-appointed guardians may protect elderly — or just steal and abuse

Escape was only option for an old soldier trapped in guardian system

Abuse of the elderly by guardians is hardly new. Nor is it exclusive to Nevada or Clark County.

“This is a growing crisis across the country.” said Washoe County Chief Judge David Hardy, a former family law attorney credited with reforming the guardianship system in that county.

In Nevada and nationwide since the 1980s numerous studies and media investigations have laid bare

systemic problems with conservatorships and guardianships over the elderly

In 1987, The Associated Press published a series titled Guardians of the Elderly: An Ailing System.

AP reporters from across the United States analyzed 2,200 guardianships from all 50 states, showing that

guardianships were too easy to obtain and too hard to reverse.

Overburdened and understaffed court systems, meanwhile, rarely properly monitor and protect vulnerable wards.

The same findings have been echoed in in-depth reports in recent years by regional newspapers, including the Los Angeles Times, Seattle Times, Columbus Dispatch and the Sarasota (Fla.) Herald-Tribune.

All of the reports, published years apart in different regions of the country, point to the same problems noted by The Associated Press. But it's not just the media that has taken notice of this ever-present and ever-growing problem.

In 2010, the Government Accountability Office, which performs research and investigations for Congress, released a damning national analysis of guardianship abuse.

The study included in-depth examinations in 20 cases across 15 states and the District of Columbia, finding that court-appointed guardians had stolen a cumulative \$5.4 million from 158 incapacitated wards.

The study also noted that courts commonly:

■ Failed to properly screen guardians and appointed inappropriate guardians

■ Failed to oversee the guardians after appointment, allowing guardians to abuse wards and take their estates.

■ Failed to communicate with federal agencies about abusive guardians, enabling them to continue their abuse.

Subsequent GAO studies have said guardianship courts need better funding to oversee and protect the growing number of people who are in need of guardianship.

Since the report, guardianship reform has gained traction in some states.

Nationally, Sen. Amy Klobuchar, D-Minn., in late 2011 introduced the Guardian Accountability and Senior Protection Act, which would provide federal grants to help state courts do background checks and improve oversight. The bill has been endorsed by the National Guardianship Association, the Conference of Chief Justices and the Conference of State Court Administrators, but has yet to see a Senate vote.

Contact Colton Lochhead at clochhead@reviewjournal.com or 702-383-4638. Find him on Twitter: @coltonlochhead

## **GUARDIANSHIP / CONSERVATORSHIP : elder financial abuse**

### **Clark County's private guardians may protect — or just steal and abuse**

By COLTON LOCHHEAD

LAS VEGAS REVIEW-JOURNAL



#### **Kristina Berger is fighting to get back what was taken from her by her court-appointed guardians**

Kristina Berger poses for a portrait outside her lawyer's office in Las Vegas on Wednesday, May 28, 2014. Berger had inherited an estimated \$400,000 estate from her mother. Struggling with a bipolar disorder she was appointed a guardian by the court who proceeded to take all of the money from her estate.

Attorney Mike Olsen poses for a portrait inside his office in Las Vegas on Wednesday, May 28, 2014. Olsen is currently in a civil suit on behalf of his client Kristina Berger. Berger had inherited an estimated \$400,000 estate from her mother. Struggling with a bipolar disorder she was appointed a guardian by the court who proceeded to take all of the money from her estate. (Justin Yurkanin/Las Vegas Review-Journal)

(Justin Yurkanin/Las Vegas Review-Journal file) Clark County's private guardians may protect — or just steal and abuse nYfUuvj-3SSLL1M3.mp4 Man tells judge to clear courtroom during guardianship hearing. Clark County's private guardians may protect — or just steal and abuse

Clark County Family Court Judge Judge Charles Hoskin during an interview at Clark County Family Court on Friday March 13, 2015. County Family Court Commissioner John Norheim during an interview at Clark County Family Court on Friday March 13, 2015

**Private professional guardians have been abusing the system and causing elderly wards in Clark County to lose their life's savings worth hundreds of thousands of dollars.**

(Jeff Scheid/Las Vegas Review-Journal)

# **GUARDIANSHIP / CONSERVATORSHIP : RAMPANT CORRUPTION**

**Clark County's private guardians may protect — or just steal and abuse**

By COLTON LOCHHEAD  
LAS VEGAS REVIEW-JOURNAL

**Grow old, alone and infirm in Southern Nevada and Clark County will help take care of you.**

**If you're poor, a public guardian will be appointed at county expense to look after you, your money and your property.**

**If you are old and have money, a private guardian could be appointed by the county. That guardian could help you, but may instead take your money and your property, leaving you destitute.**

**And you'll get a bill for the guardian's services of doing this to you.**

**Long a source of complaints, the county's private guardianship system is inherently ripe for abuse, and does little to protect the assets or the rights of those most vulnerable to financial abuse.**

People such as Kristina Berger, 52, whose severe bipolar disorder made her **one of the more than 8,500 elderly or incapacitated Clark County residents deemed in need of a legal guardian.**

**It also made her a victim.**

**Over the course of a few years, Berger's court-appointed private guardian systematically drained her \$495,000 estate nearly dry.**

The licensed private guardian, Patience Bristol, 39, was caught only when someone from outside of the guardianship system called police. She is now serving three to eight years in prison for stealing everything from cash to jewelry and expensive purses from Berger and other wards.

**Berger is left with nothing more than a feeling that she has been abused not just by Bristol but also by the county government that gave Bristol nearly unchecked power to ruin her life.**

**"All they did was give her a license to steal, and a license to keep me in bondage and to keep me oppressed,"** Berger told the Las Vegas Review-Journal.

David Hardy, chief judge of District Court in Washoe County and an advocate for guardianship reform, said that wouldn't happen if there was more oversight of the often-overlooked system.

**"The guardianship system itself contemplates that one person will be in charge of another person's finances. When that happens, you're going to have a percentage of people who serve themselves It's easy to take from somebody who can't defend himself or herself."** Hardy said

And as baby boomers increasingly age into retirement and possible infirmity, the opportunities for undue enrichment will only grow for those willing to take advantage.

#### **GUARDIANSHIP EXPLAINED**

Most guardianships start with good intentions. A concerned family member or social worker petitions Family Court to appoint a guardian for someone who cannot care for himself or herself because of age or mental or physical problems.

The case goes to Guardianship Commissioner Jon Norheim, an appointed hearing master who oversees all such cases through Family Court in Clark County. Norheim is a lawyer, but his decisions carry the force of a judicial order.

**A guardian is appointed after a person is deemed "mentally incompetent" by the court and declared a "ward of the county."**

**Often it's the family member or friend who brought the case to the court.**

**Sometimes the finding of incompetency is made without notifying the person in question, who might have to challenge the finding after the fact.**

If no Clark County resident volunteers to stand in as a guardian, Norheim must appoint either a public or private guardian.

The Clark County public guardian usually gets cases when the ward has few assets. In those instances, most costs associated with the care, including the salaries of county employees in the office, are covered by taxpayers.

**More well-to-do wards can be assigned one of 25 or so private professional guardians certified in Clark County. Private guardians are allowed to charge "reasonable" fees for their services, although there's no definition of "reasonable" in state law.** Norheim approves fee schedules, which vary by service and by guardian, but doesn't check the guardian's actual billings unless someone complains. State law requires guardians to make a single, annual report to the court showing how they spent each ward's money, but not even that level of oversight was done in several cases examined by the Review-Journal.

**Regardless of who the guardian is, the ward becomes dependent on him or her. They lose the power to vote or enter into contracts. They're not allowed to handle their own finances, and must have guardian approval even for medical treatment.**

The system is supposed to ensure that vulnerable people get the help they need and don't fall victim to financial exploitation.

***It just doesn't work that way in real life.***

**"These seniors work their entire lives to have enough to live comfortably, The guardians just don't care about that. They're just going to grab every penny that the wards have and discard them like they're garbage."**  
said Rana Goodman, an advocate for the elderly in Henderson.

Goodman, an unpaid lobbyist in Carson City, is pushing legislation that would eliminate the requirement that only Nevada residents can be guardians, and to require licensing of private guardians who now are certified only by a national association.

**"I cannot stand what is happening with these private guardians,"** Goodman said.  
**"It just shouldn't happen."**

## **A CRIMINAL CASE**

Bristol's October 2013 arrest is just the most recent black mark against Clark County's guardianship system, which has for decades been the subject of complaints and controversy.

Much of the criticism is aimed at the **county's most prominent private guardian**, Jared E. Shafer, 72, who **reigned** as the county public administrator for 24 years before starting his private practice in 2003.

Shafer, who did not respond to repeated requests for comment, **is considered an insider in the Las Vegas legal community, where his contacts with judges, politicians and prominent business leaders go back decades.**

Despite repeated accusations of financial irregularities, ethical lapses and at least one FBI investigation, he has never been accused of a crime.

Bristol worked for Shafer for at least 10 years, both in his elective office and later as a private guardian. Although she filed personal bankruptcy in 2005, there's no indication her ability to manage the financial affairs of others was questioned until she came under investigation by Las Vegas police not long after leaving Shafer's office to start her own business in spring 2013.

While working for Shafer's company, Professional Fiduciary Services of Nevada, Bristol became Berger's guardian after Berger's mother, Margaret Maul, died in 2008. Berger was one of four wards Bristol took with her to her new practice.

Several attempts to interview Bristol in prison were blocked without explanation by the Nevada Corrections Department.

In a District Court lawsuit naming both Bristol and Shafer,  
**Berger alleges that Bristol misappropriated her money and abused her throughout her guardianship.**  
Bristol, for example, demanded that no one ever use a bathroom in Berger's two-bedroom condo. Only Bristol, during a once-a-week visit, was allowed to use the facilities, Berger said in her lawsuit. Unless the bathroom was stocked with Bristol's specified soaps and other products Berger was denied her \$250 weekly allowance — money from her own estate.

"Every day I lived in fear of not knowing if I would have enough to eat that day," Berger told the Review-Journal. "She would just berate me, and tell me what a terrible person I was. **And that there's no hope for me.**"

When Bristol failed to pay bills, Berger would often call Shafer, who charged them to his American Express.

CLARK COUNTY NEVADA **CORRUPTION IN GUARDIANSHIP/ CONSERVATORSHIP**

Las Vegas Review-Journal expose

73 results to article:

A.D. Hopkins • 5 days ago

One of the best pieces of journalism I have seen in the RJ in years. This story was long overdue. The only thing I would have liked to see in it, that I did not, was the names of the county commissioners who made the guardianship appointments. Old Las Vegas would read something into those names, and they would often be right. In any case, there is no accountability for a commissioner's actions unless the commissioner is named.

Guest A.D. Hopkins • 4 days ago

Commissioner Norheim was the one that gave Shafer the **monopoly and the license to exploit.**

Robert Robey • 5 days ago

The R-J has done the public a service. An in depth report. The Fourth Estate at its best.  
But there is more to the story.

Rana Goodman's comment,

**"I cannot stand what is happening with these private guardians,"**

**"It just shouldn't happen"**. Goodman said.

Ms. Goodman has worked to get Assembly Bill 325, sponsored by Sprinkle, Kirkpatrick and O'Neal passed out of the Assembly Judiciary Committee. Rana is a women of action.

AB 325 has passed the Assembly. Rana Goodman, worked for that Bill. Also in January 2015. The Vegas Voice published stories on the Guardianship mess. Rana was the author of those stories.

Each and every reader of the R-J should be furious. Take time, today, to send a e-mail o Sen. Judiciary Chairman, Senator Greg Brower, [Greg.Brower@sen.state.nv.us](mailto:Greg.Brower@sen.state.nv.us).

Rana Goodman deserves the thanks of every senior in NV and the thanks of their loved ones.

**Support Rana, Support AB 325 Support the elderly. Stop Abuse.**

Al Di Cicco • 5 days ago

Those that had knowledge of these crimes in Las Vegas exposed and reported by many including myself and the late FBI Chief Ted Gunderson dating back to the 1990's, including crimes of the **State Legislature, State Bar, Commission on Judicial Discipline et all who should go right to prison for their criminal activity.**

**Families should be compensated financially for the theft and collusion The racketeering of family court, CPS related agencies, Psychotherapists, lawyers and associates have destroyed our country & families for greed. Abolish Family Court. It cannot be reformed.**

Judge Steve Jones was the Kingpin of many crimes. Now **FBI, please finish the job.**

HawkEye Al Di Cicco • 5 days ago

Could not agree with you more Al. Norheim, Hoskins, and Shafer  
**all need to be investigated for Racketeering.**

Al Di Cicco HawkEye • 4 days ago There are many ways to obtain justice.

HawkEye Al Di Cicco • 4 days ago

Yes, I've chosen social media to make the public aware of how

**deep corruption seeps in the working's of "doing law and justice"** in Clark County NV, due to the way it has touched my life over the past 17-yrs. The reason I chose social media as a megaphone is because, as you are aware, of recent news in terms of the destruction of child abuse evidence and evidence from domestic violence and abuse cases in the 8th District Family Court, the way they handled that,  
**just like the guardian abuse, is it gets buried..** Best descriptive statement of the whole horse and pony show:  
"The wheel continues spinning, but the hamster is dead."

NateOgden • 5 days ago

For decades in NV I have administered health insurance plans for businesses. These Biz are presumably of sound mind and able to look after their own interest. In order for me to have a license to do this I must carry a bond payable to the state of NV. **Of all people that should be required to carry a bond to protect their "clients" these wards should. At least that way when one of them steals, which will surely happen, the victim will be made whole. It also brings an interested 3rd party into the equation with a vested interest in making sure the guardians are doing right.**

6 George Russell NateOgden • 4 days ago **You could not find an Underwriter that would sign off on that bond. Too much risk, too large dollar amounts in many estates and poor oversight by the power that should be guarding the hen house.**

Rick Black • 5 days ago

Tip of the hat to the LVRJ! Hopefully the authorities will finally take action. KTNV-ABC News, The Vegas Voice, and now the Review Journal can't all be misguided or mistaken.

Great job Colton Thank you for your kuddos Robey, it is an on going mission from the heart for people who need a voice.

The one thing that Colton did not mention in the wonderful story he had presented in this RJ piece which everyone should know is this;

**When the family court names someone as your guardian, any power of attorney you may already have in place is revoked and your guardian now has one over you and your affairs. You must now, and it is standard in the court order, turn over to the guardian, your checking account/accounts, your stock portfolio, bonds, IRA, social security, medicare, safe depository box, EVERYTHING you own.**

**In essence, the guardian becomes you.**

**The guardian has the power, and they will do this, sell off everything, "for your care". Including your home, many times for pennies on the dollar.**

The Vegas Voice is now working several cases involving the same guardian, April Parks, who has wards who she never sees, and several of them are having a problem getting their medication..

**The very definition of "guardian" is opposite of the way these people are being treated.**

It will be interesting to see if all this publicity will make Judge Hoskin, Richie and hearing master Norheim finally do their job.

Rick Black Little Red • 5 days ago Little Red, Prison is too good for all three of them. They had years to figure out how to do their job and chose not to. They would have been fired long ago in the private sector.

**These people's actions are criminal, plain and simple, and they should receive appropriate punishment.**<sup>3</sup>

Rick Black • 5 days ago

Where is the fact checker? Hoskin and Norheim's record on investigative authority contradicts his statement. Commissioner Norheim has penalized family members at 2.5X assumed damages and/or removed them from protecting their mother, father, sister, or brother based on argument alone.

Norheim **consistently ignores and denies presented evidence of wrongdoing by the private guardians**

**His rulings indicate an intent to line the pockets of the lawyers and private guardians and insure as much money as possible is fleeced from these innocent and unsuspecting families forced to seek justice through litigation.**

**It is an insult to the families who have presented legitimate estate documents and/or clear and convincing evidence of wrongdoing by guardians for Hoskin to place the burden on them expose to guardianship abuse.**

**The court's job is to resolve factual disputes. Evidence presented and state law gives them that authority.**

Highway patrol doesn't investigate speeding. They know the law, read the radar and write the citation. Hoskin, Ritchie, and Norheim only have to read the evidence and do the same to correct the guardianship abuse issues in Clark County. **They refuse to protect the disabled elderly and their estates because they don't want to.**  
**The real question is why**

Rick Black • 5 days ago

**Because they are all filthy scum who work with each other to bilk as much money from their unsuspecting victims.** Let us hope this publicity will shame them into stopping their thievery.

6 Karla Ely Rick Black • 5 days ago

**They refuse to protect the disabled elderly and their estates because is is NOT IN THEIR BEST INTERESTS.... .. Their only "fiduciary duty" is to themselves!**

WandaJoy • 5 days ago

BTW, nice job of reporting and investigating.  
Congratulations !

ElaineRenoire • 5 days ago

Christina Berger very aptly summed up the problem,

**'All they did was give her a license to steal, and a license to keep me in bondage and to keep me oppressed.' Bristol was caught only after someone outside of the guardianship system reported her.**

NASGA wonders how many times Bristol's victims, including Christina Berger, complained to the guardianship commissioner Jon Norheim or family court judge Charles Hoskin, **only to have those complaints fall of deaf ears. How many other victims with serious complaints against other court-appointed guardians are ignored until the press brings it to the public's attention?**

Thank you, Review Journal, for excellent reporting!

**Join the national movement to reform unlawful and abusive guardianships and conservatorships. Join NASGA!**

David • 5 days ago I didn't see disgraced former Judge and Public Administrator Dan Ahlstrom's name in the lengthily article. This job has always been known as "the best tipping job in town". Nice to see someone has finally shed a light on this county department. The county should immediately settle any lawsuit's pertaining to this to avoid further costly expenses. Thanks to the banker who noticed the charges and notified the proper authorities.

SteveMiller4LV David • 5 days ago

Ahlstrom watches over a warehouse located behind his office on the corner of Shadow Lane and Alta is is chock full of valuables stolen from wards of the court.

▪ 3 Bonnie Rodriguez • 5 days ago

**Sounds like a license to steal.**

George Russell • 5 days ago

This should be Front Page News on every paper in Nevada till the problem is solved and not allowed to be swept under the table. Good job LVRJ. I tell my friends to blow every penny they have because it will just be stolen by the State or its appointed favorite cons. I suspect the big guy knows who to tip to keep the lid on and to remain the favorite.

Excellent report by the RJ. This is a classic case of the depth of fraud that exists in Clark County today. Everyone from County Commissioners, Clark County Attorney, Judges, and Metro are involved either through gross incompetence to

**participating or enabling this horrible crime against those who cannot defend themselves.**

**It is especially disturbing that everyone including judges have been recipients of monies from these crimes.**

**If the elected officials and others were to perform their duties in the private sector like they do "working" for the taxpayers, they would be fired immediately.**

Carol Tanabata • 4 days ago

**Finally, a story written about the evils of the guardianship system in Las Vegas!**

I contacted the LVRJ about this four years ago and spoke with a reporter who considered writing about it but unfortunately she didn't.

**I tried so hard to get so many people (congress people, social services, etc.) to help me protect my poor mother from these people while she was alive.**

**Nobody would listen because everything was blessed by the court so therefore it meant everything was correct.**

I, unfortunately, got involved in this system when Commissioner Jon Norheim appointed that man, Jared E. Shafer, to be guardian over my mother four years ago.

**There was no reason for him to be guardian since I was fully capable, being an upstanding citizen and all. However, after attending many hearings, I saw that I had no chance.**

The court seemed to think it was better for this highly unprofessional, unethical, unkempt, homeless-looking, drunken man to do it, and Norheim was appointing case after case to him. I never heard of any other guardians being appointed, and I sat through many hearings.

Why was one man allowed to have the monopoly over cases? This never seemed right. And the fact that Shafer had a long history of being a guardian voids the need for checks and balances,

**What kind of circus court system is this? I'm suspicious that all this is because kickbacks are involved and therefore why Norheim would keep appointing Shafer. There have also been numerous stories about Shafer stealing and mistreating his wards.**

**But just like any corrupt system, there are too many connections and money involved for anyone to want to do anything. It's such a big complicated web of corrupt players:**

**Shafer, Norheim, court-appointed guardians ad litem, the Senior Citizen Law Project guised as an organization to protect the elderly, lawyers connected to all of them—**

**making this whole family court system corrupt, allowing this to be completely out of order**

The sentencing of Patience Bristol is just the start of all this being exposed. She was the one that came to my mother's house when she worked for Shafer. I never trusted her either. I hope this story is the start of what will bring Shafer down.

**He needs to be behind bars so no more of the elderly are exploited.**

So, Shafer, if you're reading this,  
it's only a matter of time when evil people like yourself will get yours.  
You're getting sloppy. The greed has gotten to you head. And it's all unraveling.  
Be scared! Be really scared!!

Smiling Jack • 5 days ago

I wish the court would be cleaned up once and for all. Kudos on the reporting. Many more stories like this out there on elected officials, government leaders, and power players if they only chose to investigate them.

2 KayakTahoe • 5 days ago Ms. Goodman should understand this:

This program so designed to help the elderly, sick or anyone who falls under the guardianship, (ward of the court) is allowing nothing but thieves to come in...in so many cases. This is nothing new,

5 days ago

Wanda Joy, I went to high school with Sharfer,  
he was a bully then and is just a bigger bully now. How the "power brokers" in the town have kept shielding him all these years while he steals from the most vulnerable is a mystery to me.

SteveMiller4LV Little Red • 5 days ago

Corruption. He was appointed in 1979 by then-Clark County Commissioner Manny Cortez, father of former Nevada Attorney General Katherine Cortez-Masto  
who repeatedly refused to investigate reports of elder exploitation by her late father's good friend.

Anthony Shell • 5 days ago

I've seen the situation happen to a relative in Pittsburgh Penn.

The court appointed guardian & his staff wound up with just about everything the relative had, over the course of a few years.  
His house was sold at well below market value.  
When questioned about it, the guardian replied, "it needed a lot of work."

Al Di Cicco • 5 days ago

You cannot petition the court with prayer. A few bad apples?

How about a few good apples amongst a bushels of bad apple criminals in government? That is the truth.

› WandaJoy Mark Stern • 5 days ago

**This isn't a democrat - republican issue.**

**It's greed, racketeering and good ole boys taking advantage of those least able to protect themselves.**

3 George Russell Mark Stern • 5 days ago

**Just more redistribution of the wealth.** John Kon • 4 days ago

**It is going to be interesting on how the county commissioners are going to handle this?**

**One would think every guardianship account needs to audited, and the county needs to start to have the annual Guardians report reviewed thoroughly, and just by the amounts paid to the guardian could or should trigger an investigation,**

**Of course those might not be right either.**

**The amount paid to the Guardians for each service is suspect also.**

This is most worst thing Clark County could have allowed to happen and to seniors and the disabled.  
They the County Commissioners are responsible!

Silver Fang •

**State guardianships, whether for so-called "minors" or for vulnerable elderly are nothing more than a way to use and abuse someone, then get rid of them when they're no longer of use to them.**

?!? **Stealing at the government level?!?** Say it isn't so!!

I know, we need to increase taxes to make up for the shortfalls.

We will just pass the loss onto the middle class; they'll just continue to vote and elect the same people anyways.

# GUARDIANSHIP /CONSERVATORSHIP

Posted April 17, 2015 - 5:46pm Updated April 18, 2015 - 12:38pm Center, 200 Lewis Avenue. (Jeff Scheid/Las Vegas Review-Journal)  
By COLTON LOCHHEAD LAS VEGAS REVIEW-JOURNAL

## Chief Judge vows to improve elderly guardianship process

The chief judge in Clark County vowed Friday to improve the elderly guardianship process after a series of stories by the Las Vegas Review-Journal exposed flaws in the system that left thousands of elderly and mentally ill in Clark County open to exploitation.

And the County Commission, which oversees the court system's money, is ready to listen.

Last weekend, the Review-Journal ran a series of stories showing problems with the county's elderly guardianship system that allowed private guardians to drain hundreds of thousands of dollars from the accounts of people they were supposed to be taking care of.

Cases highlighted by the newspaper showed a lack of oversight by the courts, such as failing to require guardians to file annual accounts of a ward's finances even though it is required by state law.

In a statement released through a spokeswoman Friday afternoon, Clark County District Chief Judge David Barker said he would seek funding from the county to add several programs that will better protect those in the court's care.

"The establishment of a comprehensive Court Guardianship Program is a top priority of the Eighth Judicial District Court," Barker said. "It is a court goal to ensure that they get the needed resources to adhere to national best practices."

Barker said they would also look to add training programs for court staff and guardians, formalize a complaint process, and promote information and resources available to the public.

County Commissioner Steve Sisolak said the Review-Journal articles "raised a lot of questions."

The concerns were enough for Sisolak to submit a change to the commission's Tuesday meeting agenda, adding the issue of court-appointed guardianships. Sisolak said he spoke to Barker, who agreed to speak at the commission meeting.

I got numerous phone calls from individuals that are very concerned, I want to have our staff and the judge explain some things to us and have a discussion about it."

State Sen. Becky Harris is sponsoring Senate Bill 262, which would eliminate a state law that requires guardians to be Nevada residents. She said Friday she has heard concerns about guardians abusing their power from her constituents.

"I've had a lot of people in Las Vegas and other places explain to me that this is a fairly common occurrence,"

Harris said about guardians exploiting their wards.

Barker said that the guardianship court handles most of the 8,500 active cases "in a matter that is satisfactory to the parties concerned," but admitted the current system has limitations because of a lack of resources and authority. The courts now have little to no investigative powers to even look into complaints of financial exploitation.

"Protecting those impacted by intellectual disabilities and diseases associated with aging is essential to the well-being of our families and community in Clark County," Barker said. "The court will continue to pursue avenues and resources to improve the handling of elderly guardianship cases."

Contact reporter Colton Lochhead at clochhead@reviewjournal.com or 702-383-4638. Find him on Twitter: @ColtonLochhead.

## Affidavit of Jeryl Gray

Before the undersigned, an Officer duly commissioned by the law of Connecticut on this 29 day of August 2014, in having personally appeared, and in having been first duly sworn in, I Jeryl Valerie Gray, depose and say:

It is now five years, Spring 2009, since my Mother Dolores Gray desperately turned to Attorney Kevin Kelly, (who is now Senator Kevin Kelly), after being sent to his Stratford Elder Law practice, where he conducted private elder law practice in addition to his position of being the Stratford Town Attorney as well as being holder of multiple local and statewide political positions...

My mother, in having finally become aware of the theft / transference of her multi-million dollar assets by her colluding attorneys, Attorneys Larry Engelman, Fred Krug, CPA Anton "Tony" Kimball and "son" Jay Gray into their own possession/ ownership/ control, had, in Spring 2009, in my company confronted Larry Engelman, only to be horrifically informed by him that it indeed was true and that she had no control over her assets or her life.

Attorney Engelman threatened me, Jeryl, with his intended actions, those being, with his power as her attorney, to have my Medically verified as "Mentally and Psychologically Capable and Competent" Mother declared incompetent by the court and place her into a "facility" unless I myself did this to my mother within three days. In our horrified terror, we turned to Kerrie McNanama of Stratford Senior Center who strongly directed my mother to turn to her close colleague Attorney Kevin Kelly.

On the last of this three day deadline, my Mother and I did turn to Attorney Kelly to hire him to stop the to-be-fired-attorneys Engelman & Krug, to get her assets back from these rapacious predators, to transfer all control and ownership out of their hands, to write her new Will / Legal Directives, the works...

I right then paid Attorney Kevin Kelly thousands of dollars out of my own funds as my mother had been cut off from her money by the predators. Attorney Kelly said I did not need to hire my own attorney; he said he would actually be functioning as attorney for both of us.

However, he refused to do what she, we hired him to do; that being go after the predators on her behalf. Instead, he told her that the next day he was going to apply to his good pal Stratford Probate Judge Kurmay for me, Jeryl to be instated as something called "voluntary conservator of estate" so that I could do all this for Mom instead of Kelly doing it. We both assured Kelly that this was out of our realm of expertise, but he said that he would be behind me in directing this investigation and retrieval of Mom's \$6 million estate from the predators.

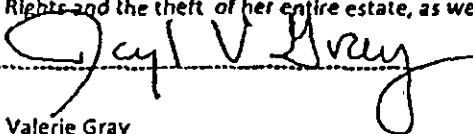
This is how Attorney Kevin Kelly tricked us and how the lives of my Mother have been horrifically, irreparably destroyed through all this subsequent time in what my now probate-imprisoned Mother has realized was a DELIBERATE, CONSPIRATORIAL, PREDATORY SET-UP.

The "RACKETEERING COLLUSION" of Attorneys Kevin Kelly / Carmine Perri, Stratford Probate Judge Kurmay, Kurmay-appointed Conservator, the rapacious, monstrous Katrina Camera, with the above named predators, and with the subsequent conspirators; DSS "puppet," Chet Walters, Kurmay's medical "puppet" Dr Vivian Argento, as well as members of both Stratford & Milford Police Dept, as well as Milford Health Dept's Dennis McBride & Sonja Devitt, as well as Attorney Keith "Brad" Gallant, the probate-forced Attorneys Matthew Peterson & Amy Todisco, Gallant's colleague, the probate-forced conservator of person Roberta Litvinoff, have robbed my Mother and I of everything she and I earned together over our entire lives, have stolen our homes and the lifelong contents, have imprisoned my Mother in the captivity of the "MONSTER," the extremely violent abductor Jay Gray whom she had disowned, and against whom she had gotten an Order of Protection..

The Infamously reputed "corrupt" "estate-looting" Stratford Probate Judge "King" Kurmay has PUT GUNS OUT ON THE STREETS TO DESTROY THE LIVES OF OTHER INNOCENT VICTIMS PER CAMERA'S HIRING OF DISGUSTING GANG STYLE THUGS TO ROB OUR HOME AND TERRORIZE US.

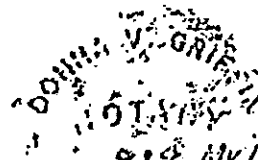
(The guns were owned by my Grandfather, my Mother's Dad, and were kept, after he died, in our 50 year Milford Home, from which they were stolen when Camera robbed the entire contents of that home via her hired pack of violent hoodie -and- dropped- pants attired, gangsta style street thugs, who terrorized us and attacked Mom and me with their vehicles).

After Jay Gray violently took my Mother, (who had been cohabitating with me in her Stratford beach Home, 29 Shoreline Drive at that time) into unwilling captivity October 31, 2010, the equally infamously reputed "corrupt" probate Judges Milford Probate Judge Beverly Streit-Kefalas and New Haven Probate Judge John "Jack" Keyes have continued, colluded in and perpetuated this horrific assault upon all of my Mother's Civil Rights and the theft of her entire estate, as well as have aggressively, viciously, determinedly destroyed my life as well.

  
Jeryl Valerie Gray

SUBSCRIBED AND SWORN BEFORE ME THIS 29 DAY OF AUGUST 2014  
NOTARY PUBLIC



  
My Commission Expires  
February 28, 2017

**STAPLES**

**copy&printcenter**

*I am being kept in Ct.  
against my will.*

Complimentary Self-Serve Fax Cover Sheet

To: Hon. Beverly Streit-Kefauver From: Dolores K. Gray

Fax #: (203) 783-3364

Phone #:

Date: April 3, 2011

Reply Fax #: (203) 378-6534

Number of Pages (Including Cover): FIVE

Urgent ☒ Confidential ☐ Confirm Receipt ☐

*message: I need help immediately.  
I want to return home to Florida  
with my daughter, Jerrye NOW!*

We'll do it right the first time — guaranteed.

Black & white copies • Color copies • Custom printing • Binding • Folding • Wide-format copying • Custom stamps • UPS shipping and more

that was easy.

5/06b10v\_0

STAPLES

**STATE OF CONNECTICUT**

**APPELLATE COURT**

**A.C. 37076**

**: FBT-CV-13-6032868-S**

**JAY CHARLES GRAY ET AL**  
**Plaintiffs/Appellees**

**: SUPERIOR COURT**  
**J.D. FAIRFIELD**  
**AT BRIDGEPORT**

**v**

**JERYL VALERIE GRAY**  
**Defendant/Appellant,**  
**Self-Represented**

**: APRIL 27, 2015**

**MOTION TO SET ASIDE NISI ORDER**

Pursuant to PB 60-1, 60-2, 60-3, Jeryl Gray, Defendant/Appellant respectfully motions Appellate Court to set aside NISI Order of April 17, 2015.

**BRIEF HISTORY AND FACTS:**

This Appeal takes place within the context of a horrific massive six year history of extremely contentious, virulent multi- court actions all revolving around the multi-million dollar theft and looting of combined 145 years lifetimes' co- earned assets of Dolores and Jeryl Gray, elderly Mother and Daughter, (DOB's 1930, 1954), as is being conducted by and via unlawfully probate court- imposed involuntary conservatorships of person and estate, unlawfully probate court- imposed permanent Guardianship over ward by Guardian ad litem, unlawfully probate court- appointed counsel over Ward, representing against ward interests unlawful, un-Constitutional probate court-stripping of all Civil and Constitutional Rights and the involuntary captivity, imprisonment and solitary confinement of ward Dolores Gray in the Milford house of her violent abductor, Plaintiff Jay Gray, against whom probate prisoner Dolores Gray had an attorney-created Order of Protection and with whom she never ever wanted *any* contact whatsoever for the rest of her life.

These multi- court actions have been and are all taking place for one sole purpose:

UNJUST SELF-ENRICHMENT via CONSPIRACY of the involved predatory

"interested parties" and judges in the theft and looting of entire multi-million dollar estate of assets of Dolores and Jeryl Gray. This entire situation of the matters of Dolores Gray has been characterized as "The worst case of Connecticut Probate Corruption seen"

by seasoned experts in this state of Connecticut, infamous nationwide aka Corrupt-icut, which this Defendant- Appellant and Mother Dolores Gray so tragically came to learn has also been hence ranked by seasoned experts as so:

**"CONNECTICUT has the most corrupt and predatory Probate Court of all fifty states."**

contributing thus to establishing Connecticut as ranking dead last of all fifty states in which to retire, and ranking as number one state of all fifty states from which its citizens are fleeing to relocate to other states.

NOTE: These predatory unlawful and criminal actions being committed by *involved parties* have also been defined as Racketeering per RICO standards, and this entire matter has been submitted to FEDERAL TASK FORCE investigating Connecticut corruption.

The abusive predatory actions of the *involved* and "interested parties" are so extreme and so egregious, are so criminal and lawlessly committed as to cause the clearly lucid prey Dolores herself to, in writing, characterize these predators as "monsters," as "money rapists" "well-dressed well-spoken professionals who are worse criminals than street gang thugs."

This instant case involves an Appeal against the theft of and subsequent attempted partition auction sale by plaintiffs et al of the Stratford CT beachfront Home of elderly co-habiting Mother and daughter Dolores and Jeryl Gray.

This Home, a free standing cottage in a condominium association, was purchased for cash by Dolores (with now-deceased husband Joseph) some forty years ago and Dolores herself always over the decades paid all of its bills and fees and taxes and expenses and utilities. It is from the co-habitation here with daughter Jeryl in her Stratford CT Home that visiting Florida Resident/Domiciliary Dolores, who owns and resided with daughter Jeryl in a beautiful retirement condo in Florida, who votes in Florida, who has Florida Driver's License and Florida auto ownership/registration, etc, was violently abducted from her co-habitation with daughter Jeryl by "never worked a day in his life" predatory "parasite" son Jay Gray and taken into unwilling captivity in his Milford house.

Medically repeatedly evaluated and repeatedly diagnosed as being mentally and psychologically "CAPABLE AND COMPETENT," "In no need whatsoever for a conservator" Dolores was then unlawfully probate court involuntarily conserved of both person and estate, put under full control of vicious predatory probate court-selected and appointed strangers, was probate court- sentenced to permanent imprisonment in the Milford house of her violent abductor, was stripped of all of her Civil Rights and is probate-court forbidden to make any contact of any kind to daughter Jeryl and is forbidden to receive or have any form of contact from or with her daughter.

The estate of assets and properties as entirely co-earned by Mother and daughter Dolores and Jeryl Gray in their co-created forty year, 60-80 hour, 7 day work week business has all been robbed from them and this vicious pack of predators has placed, has deliberately *pushed* Jeryl into a situation of acute life-endangerment, has deliberately caused Jeryl to be in circumstances of life- threatening danger and harm, as well as has caused injury- related medical disability per direct result of their actions;

Indeed, pathological violent predator Jay Gray has openly declared to his sister Jeryl that their goal is for elderly and now-disabled Jeryl to be "out on street penniless and homeless" As he viciously sneered when he violently took his Mother into unwilling captivity, "You will never see her again!" this creature, whom Dolores herself has in writing defined as a "monster" of whom she is "No longer your mother," has also suggested to his sister Jeryl that Jeryl just kill herself and get *it* over with, it being resultant actual death from all of this. The tortures and horrors that have been, are being inflicted upon this elderly Mother and Daughter are so extreme as to seem unbelievable, seem not possible in the United States of America as is ostensibly governed by the great U.S. Constitution and Rule of Law. The agony and suffering, the anguish and misery so deliberately, so completely unconscionably caused to both Mother and daughter give true definition of these parties of being "monsters" of being "EVIL" as their property, their chattel Dolores Gray has so defined them... . And Dolores herself seeks death to escape.

Jeryl is struggling to survive their unceasing life-destroying assault and abuse per their unrelenting actions toward their overtly spoken goal, which, as they once stated outside probate court, is to "finish her off," toward their plan "to starve her down to the ground." As the ward-hated Conservator Attorney Camera stated to (unlawfully) probate-court appointed and forcibly imposed, ward- hated Attorney Matthew Peterson "it will be so quick it will only be a small bag of popcorn "spectacle for them to watch as he indeed attempted to destroy Jeryl in the farcial charade that is Probate Court in Connecticut:

Jeryl is indeed destitute and starving down as these predators take \$700,000.00 / year from the money she earned with her Mother to put into their own pockets.

**SPECIFIC FACTS RELIED UPON:**

Per and via the complicit actions of probate court parties, the plaintiffs and attorneys and the probate courts under color of law have acted in concert for self-profit to seize the properties and belongings and assets of Dolores & Jeryl Gray, including this, their Stratford CT Home. Per the abduction by violent Jay Gray and probate court sentencing of captive imprisonment of Dolores Gray in the house of Jay Gray, they have thus STOLEN and put the Stratford CT Home of Jeryl and Dolores Gray, 29 Shoreline Drive, into partition sale action and Jeryl has, over all this time, been frantically, unceasingly fielding and fighting the constant barrage of illegal and unlawful and criminal actions as committed by this pack of predators in this instant case, as well as having been over all this time also concomitantly being so overwhelmed by parallel concurrent actions in the probate courts and in the Superior Courts in the other cities as well, as she so desperately seeks to gain her Mother's release from this depraved, unconscionable and criminally unlawful imprisonment. Jeryl Gray is suffering grave injury and chronic disablement and pain as direct and indirect consequence and product of the predators' malicious and malevolent actions. Jeryl Gray is suffering life-endangering devastation and peril as direct and sole consequence and product of the deliberate malicious and malevolent goals and actions of the "interested parties" who have been so profiting from their lawless and criminal actions, actions that are being deliberately and calculatedly committed for sole purpose of their own unjust enrichment.

In the immediate relevant circumstances and history of this Appellate Case, Attorney Warren Sasso replaced Attorney Bill Clendenen when Clendenen became the latest attorney to withdraw from representing Jay Gray et al against Dolores and Jeryl Gray.

Attorney Sasso's history during his pendency of appearance in this case (and in the other courts above mentioned) is characterized by his extreme Abuse of Process, his disregard of Rules of Professional Conduct, of CGS Ch. 900 Rules of Court Procedure & Practice, etc; Attorney Sasso's representation of Jay Gray et al against Jeryl and Dolores Gray is replete in his conduct of unlawful and disingenuous actions, of his unmitigated manufacture and submission of fraudulent perjurious statements, of slander and defamation, etc.

Attorney Sasso, displeased with the Bridgeport Superior Court's Denial of his Motion to Terminate the Stay of auction sale of the stolen Stratford Home of Dolores and Jeryl Gray, submitted to this Appellate Court a Motion for Review, within which he continued in his pattern of making fraudulent statements of "facts."

**OF PRIME SIGNIFICANCE:**

This Appeal originated within the context of unlawful actions of Bpt Sup. Court's infamous **Judge Theodore Tyma** in *his having retro- created and entered two Orders*

*ten months after their supposed date of creation;*

in Judge Tyma's creation of and **back-dating** of two retro-created orders --

one being an Order of Sale that did not exist, but which Judge Tyma created upon receipt of submission by plaintiffs' of a Motion to Set Terms of Sale;

the second being unlawful fraudulent retro-appointments of

Committee Attorney Abraham Hoffman and Appraiser Scott Corner.

Both of these Orders were created by Judge Tyma in the following subsequent year of 2014

**Judge Tyma created over ten months past the fraudulent 7/8/2013 indicated dating**

Orders after the date that is indicated on them; they were not created on 7/8/2013 but were retro-created and retro- submitted and back-dated into Case Detail 10 months after 7/8/13.

As the Court completely eradicates the former history of Case Details when they make such "record up-dates" of the Case Detail, such covert unlawful actions committed by the Court may only be exposed and proven by printouts of the original Case Detail.

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Attorney Sasso has repeatedly again and again abused the valuable time and attention of Court and this Defendant Appellant Jeryl Gray with repeated disingenuous actions, including submissions time and time again to Bridgeport Superior Courts of multiple duplicating "Motions for Reargument" of Courts' granting of this now completely destitute and indigent Defendant Appellant's requests for waivers of costs and fees; Motions in which he "document- stacked," dumping into Court many hundreds of pages of "documents" of deliberately slanderous, false and/or completely irrelevant, improper, frivolous and vexatious material. All of these motions were Denied by Bridgeport Courts as also was Denied Attorney Sasso's Motion for Review, Motion to Terminate the 61-11 Stay of the attempted auction sale of Dolores and Jeryl Gray's stolen Stratford Home.

Attorney Sasso, who by definition of being a licensed attorney, has had to receive extensive education over many years' time and has had to pass tests to qualify to practice law, has conducted and been complicit in a very deliberate campaign to overwhelm and deceive and confuse and break down this lowly, Court-disrespected, now self-defending Pro Se so as to defeat her through this vicious and aggressive plot of action.

As Attorney Sasso has deliberately engaged in Abuse of Process and disregard for Rules of Law and Rules of Court in a parallel disrespect for the Courts and in the calculated exploitation of Court's most apparent disdain for and BIAS against Pro Se,

Attorney Sasso apparently in January 2015 then submitted to this Appellate Court a MOTION TO DISMISS this entire Appeal of this Pro Se Defendant Appellant Jeryl Gray.

BUT,

Attorney Sasso as is *required by law*, did not cc Certification send copy of his

Motion to Dismiss Appeal to this Defendant Appellant Jeryl Gray,

(nor did he submit copy to the Trial Court, that being Superior Court of Bridgeport).

I Jeryl Gray had no idea that such a motion existed and only learned of it when I received on

February 19, 2015 a letter from Appellate Court dated Feb 13, 2015 stating that

Attorney Sasso's MOTION TO DISMISS my Appeal had been granted !

As I received this letter days six days after its issue date, I frantically attempted to timely get at least a cursory MOTION TO RE-OPEN up to Appellate Court.

To do this, I was informed that I had to apply to the local trial court, that being Bpt Superior Court, for a waiver of costs and fees to cover the cost of this MOTION TO RE-OPEN.

I frantically sought getting to Bridgeport Courthouse and I filled out the form for a waiver of costs and fees, then submitted it there in the Court Clerk's room.

It was granted and I sent the MOTION TO RE-OPEN up to Hartford Appellate Court to make the deadline.

Per law *requirement*, I cc certified sent copy of both my (granted) request for waiver of costs and fees for my motion to re-open and the actual Motion to Reopen to both Attny Sasso and Committee Attny Abraham Hoffman. (I also sent copy to Bpt Sup.Ct). Outrageously, upon receipt, Attorney Sasso then submitted to Bpt Superior Court yet *another* of his repeated motions to reargue/reconsider against that Court having granted my request for waiver of costs and fees to cover payment for my motion to reopen Attorney Sasso's *unlawfully* AC-submitted and thus *unlawfully* AC-granted motion to dismiss my Appeal;

Attny Sasso even therein stated in this, his latest motion to reargue/reconsider against the Bpt Court having granted my request for waiver of costs and fees, that his motion to dismiss my Appeal had been granted by AC and my Appeal had thus been dismissed by AC ! (I Jeryl Gray to date have never seen Attorney Sasso's unlawfully AC submitted and granted motion to dismiss my Appeal).

As they have so calculatedly and malevolently plotted to accomplish, I am overwhelmed by all of the predators pack's constant actions in multiple courts in multiple cities, all of same purpose in being the theft and self-acquisition of the entire once-\$6 million estate that was entirely earned through decades of hard hard work of my Mom and me.

(There is another farcial charade of a "hearing" in Milford Probate "Court" next week for purpose of the probate judge / probate court granting to these "vermin parasites" their latest theft of *more* hundreds of thousands of dollars the money that was earned by my Mother to go into all their pockets for their services of doing this to Mother, to this entity that is their chattel, their property, their cash cow, whom, *of course*, remains probate court- imprisoned in solitary confinement in the house of her violent mother- beating abductor, Jay Gray...).

#### **LEGAL GROUNDS:**

Due to being informed that this Appeal had been dismissed, the actual facts of which this Pro Se Appellant Defendant is trying to resolve, this AD is surprised and confused in being informed that a Brief is due by May 1. The AD needs a stay on nisi order of this Brief deadline date of May 1 until the issues concerning the previous dismissal can be resolved. This Defendant-Appellant Jeryl Gray therefore begs this Court for granting of this MOTION TO STAY NISI ORDER so that the establishment of authentic status of her most legitimate Appeal against the action of the unlawful theft and attempted auction sale of her

Mother's and her Stratford Home may be accomplished and that the required lawful procedures including submission of Brief, etc may then be successfully accomplished.

This Defendant-Appellant Jeryl Gray cites PB 60-1, 60-2, 60-3, General Provisions Related to Appellate as LEGAL GROUNDS RELIED UPON for this MOTION TO STAY NISI ORDER  
Sec. 60-1. Rules to Be Liberally Interpreted

The design of these rules being to facilitate business and advance justice, they will be interpreted liberally in any case where it shall be manifest that a strict adherence to them will work surprise or injustice.

Sec. 60-2. Supervision of Procedure (Applicable to appeals filed on or after July 1, 2013.)

The court may, on its own motion or upon motion of any party, modify or vacate any order made by the trial court, or a judge thereof, in relation to the prosecution of the appeal.

It may also, for example, on its own motion or upon motion of any party: (1) order a judge to take any action necessary to complete the trial court record for the proper presentation of the appeal; (2) consider any matter in the record of the proceedings below necessary for the review of the issues presented by any appeal, regardless of whether the matter has been included in the appendix of any party; (4) order a stay of any proceedings ancillary to a case on appeal; (5) order that a party for good cause shown may file a late appeal, petition for certification, brief or any other document, unless the court lacks jurisdiction to allow the late filing; Sec. 60-3. Suspension of the Rules

In the interest of expediting decision, or for other good cause shown, the court in which the appeal is pending may suspend the requirements or provisions of any of these rules in a particular case on motion of a party or on its own motion and may order proceedings in accordance with its direction.

## **Do "Elder Law" Attorneys Have Regrets at the End of Their Careers?**

**Elder Law Prof Blog A Member of the Law Professor Blogs Network**

Sponsored by Wolters Kluwer Monday, February 16, 2015

By Katherine C. Pearson, Penn State Dickinson Law

ABA's *Litigation* magazine's Winter 2015 issue has an interesting theme -- "regrets" -- and I encourage all attorneys and law professors to track it down. Lots of gems here, offering plenty of stimulus for conversation.

Famed trial attorney **Gerry Spence** starts off one of the articles in this way:

"Like most old men looking back, I tend to forget the major regrets in my life. Mine may have been becoming a trial lawyer in the first place. I learned how to try case by failing. I regret I wasn't taught in law school the first rudimentary principles of a jury trial. But how could that happen when most of the professors had never been in a courtroom?....

Spence continues:

**"In short, the justice system is broken....**

**I've labored in the system for over 60 years,  
and I regret, not winning, but regret in contributing to  
the myth that there's liberty and justice for all.**

**I regret aiding and abetting the 'appearance of justice'  
that continues to defraud most Americans who have  
never awakened one day to find themselves crunched  
and crushed in the system...."**

Elder Law, which as a specialization is still relatively young, is now "old enough" to see a first generation of long-time practitioners contemplating their own retirements. I wonder how the theme of "regrets" might play out for these individuals.

# Feds Investigates Connecticut Probate Court for Conservator Abuses

The U.S. Government Accountability Office is currently looking into allegations of conservator abuse in Connecticut, and particularly fraud and embezzlement by conservators assigned to look after the best interests of senior citizens. "The allegations point to guardians taking advantage of wards by engaging in schemes that financially benefit the guardian but are financially detrimental to the ward under their care," GAO investigators concluded. "Victim's family members often lose their inheritance or are excluded by the guardian from decisions affecting their relative's care."

From Rick Green of the Hartford Courant: [http://articles.courant.com/2010-11-02/news/hc-green-probate1102-20101101\\_1\\_conservator-guardian-probate](http://articles.courant.com/2010-11-02/news/hc-green-probate1102-20101101_1_conservator-guardian-probate) But it doesn't have to be this way. Having your assets in a revocable living trust takes the decision of who manages your trust assets out of the hands of the court and places it into the hands of the people you've chosen to manage your affairs. Rather than create a separate blog post, I thought a chapter from my book "The Anti-Probate Revolution" would be more instructive:

## Chapter Four — "Living Probate"

*The middle-aged woman stood in the middle the bank floor screaming at the manager, her face distorted with rage and tears flowing down her cheeks, but the words coming through clear. "He's my father, he's in a coma, and you damn well better give me access to his money NOW!" The people standing in line to make deposits took a step back, and one young woman with a toddler turned and walked out the door, gently nudging her child ahead of her while looking back.. "Ma'am, I've told you we can't do that..." "You stupid moron, give me his MONEY!" she screamed. "I have to pay his bills or he'll lose the house, and I can't do that without access to his accounts!" If she saw the security guard walk up behind her with his hand on his taser, she didn't give any indication. "We've already called the police," the manager said, trying to remain calm. "I know you are in a difficult position, but we told you to hire an attorney to help you get access to his accounts. Please leave now." "How am I supposed to hire an attorney, idiot!" she yelled, turning to walk out the door. "I don't have the \$5,000, the attorneys keep asking for. All of his money is in the accounts I can't get to!"*

IN MATTER OF  
DOLORES K GRAY

: COURT OF PROBATE  
: MILFORD-ORANGE PROBATE DISTRICT

(11-0009) :

: MAY 1, 2015

Current matters as involving Case of

- \* PROBATE COURT UNLAWFUL APPOINTMENT OF WARD-HOSTILE INVOLUNTARY CONSERVATOR OF ESTATE OVER ASSETS OF MEDICALLY DIAGNOSED "CAPABLE AND COMPETENT" WARD  
and
- \* PROBATE COURT UNLAWFUL APPOINTMENT OF WARD-HOSTILE INVOLUNTARY CONSERVATOR OF PERSON AND COUNSEL OF SUCH OVER MEDICALLY DIAGNOSED "CAPABLE AND COMPETENT" WARD  
and
- \* PROBATE COURT UNLAWFUL SUBMISSION OF INVOLUNTARY GUARDIANSHIP OF WARD INTO PERMANENT GUARDIANSHIP UNDER WARD-HOSTILE GAL  
and
- \* PROBATE COURT UNLAWFUL INVOLUNTARY APPOINTMENT OF WARD-HOSTILE COUNSEL REPRESENTING AGAINST WARD'S BEST INTERESTS, WISHES, INTENTIONS  
and
- \* PROBATE COURT SENTENCING OF FLORIDA RESIDENT/ DOMICILIARY WARD TO INVOLUNTARY CAPTIVITY AND IMPRISONMENT IN MILFORD CT HOUSE OF VIOLENT WARD- ABUSING ABDUCTOR  
and
- \* PROBATE COURT STRIPPING OF ALL CIVIL AND CONSTITUTIONAL CIVIL RIGHTS OF PROBATE COURT- IMPRISONED WARD  
and
- \* PROBATE COURT, PROBATE COURT PARTIES' UNLAWFUL / CRIMINAL ACTIONS IN SEIZURE, APPROPRIATION, THEFT OF \$6 MILLION ESTATE OF ASSETS OF WARD AND DAUGHTER FOR PURPOSE OF UNJUST SELF-ENRICHMENT IN UNLAWFUL INVOLUNTARY REDISTRIBUTION OF ASSETS TO SELVES AND INVOLVED "INTERESTED PARTIES"

**OBJECTION TO PETITION**  
**OF KATRINA CAMERA, INVOLUNTARY CONSERVATOR OF ESTATE PETITION FOR**  
**PAYMENT OF FEES AND DISTRIBUTION**

Jeryl Gray, Legally Pre-Directed POA, Conservator in Case of Future Incapacity, etc, etc, chosen Living Companion of Probate Court Prisoner Mother Dolores Gray, hereby submits her OBJECTION to Probate Court approval of current petition and to any and all continued payments, distributions, transfers of moneys from probate court- seized assets of Dolores Gray (and Jeryl Gray) to any of following parties and/or the trusts, LLC's, firms, business entities, etc under control, trust, stewardship, ownership, proprietorship, etc of following parties:

Attorney Lawrence Engelman / Attny Fred Krug / CPA Anton "Tony" Kimball /

Jay and Leigh Gray

Involuntary Conservator of Estate Attorney Katrina Camera

Involuntary Conservator of Estate Roberta Litvinoff

Counsel to Involuntary Conservator of Estate Roberta Litvinoff, Attny Whitney Llewendon

Probate Court -appointed Counsel against Dolores Gray Attny Matthew Peterson /

Law Firm Carmody & Torrance

Probate Court -appointed Permanent Guardian ad Litem Attny Amy Todisco

Attny William "Bill" Clendenon/ Maura Mastroni, former Counsels to Jay & Leigh Gray

Attny Warren Sasso, Current Counsel to Jay & Leigh Gray against Dolores & Jeryl Gray

Attorney / Senator, Stratford Town Attorney Kevin Kelly

Attorney F Paul Kurmay and son Attorney Charles "Chuck" Kurmay

Attorney Sonja Devitt

Medical practice of Dr. Vivian Argento      Dr. Andrew Cutney, (Pediatrician)

Attorney Barry Horowitz

Attorney Keith "Brad" Gallant, Law Firm Day Pitney

Jerry McCarthy /Manager /Beach Drive Condo Association

Attorney John Keyes

Attorney Beverly Streit-Kefalas / Milford Probate Court

except as may be distributed to Jeryl Gray, this daughter of Dolores Gray, as per the expressed Legally Predirected Wishes and Documents as so created by Probate Prisoner Dolores Gray prior to and throughout pendency of her still-current probate court imprisonment.

Per Additional Current matter at hand : ,

As direct consequence of unlawful and criminal activities as committed by collusion and conspiracy of involved and interested parties in the matters of Dolores Gray, Jeryl Gray is totally indigent and in dire dire immediate urgent need of funds for survival.

Jeryl Gray on Sept 2, 2014, submitted to Probate Court, under Judge John Keyes, Motion for Emergency Expedited Hearing for Release of funds.

Judge Keyes, (who throughout the pendency of having supported and then replaced his colleague/crony Judge Beverly Streit Kefalas in this case, has committed multiple, multiple unlawful actions), held a hearing on this matter, during which he also committed multiple unlawful actions, engaged in extreme behavior and made extreme comments.

These statements/ actions by Judge Keyes were particularly so extreme and disingenuous that it was of no surprise that the law-required audio recording of this hearing was erased. However a witness, Jeryl Grays's driver Linda Palermo is able to testify to the unlawful behavior of Judge Keyes and other parties in this hearing and has created an Affidavit thereto.

This Emergency Request for survival funds by Jeryl Gray took place over seven months ago, yet

Jeryl Gray has received no funds whatsoever, she has received no indication of any rulings on this from Judge Keyes / Probate Court and now Judge Keyes is no longer on this case; he is instead now apparently replaced by a Judge Edward Burt, from Hamden, this being the fourth probate judge involved in this case.

Jeryl Gray is now in EXTREME life threatening urgency of immediate need of funds and of restoration of access to her Home and she requests to the Court immediate resolution of these issues, that being

IMMEDIATE GRANTING OF HER EMERGENCY REQUEST FOR FUNDS and access to her making resumed residence in her Legal Home of 42 Sampson Ave Milford, the Home which her Mother Dolores Gray had demanded to Involuntary Conservator Katrina Camera be quitclaimed to this daughter Jeryl Gray, which was completely looted and gutted down to bare bone for this ostensible purpose but which was instead SEIZED AND STOLEN from Dolores Gray by Judge Keyes and Attorney Katrina Camera and Attorney Mathew Peterson for purpose of their own continued UNJUST SELF-ENRICHMENT per their actions toward selling this 54 year owned Home of Dolores and Jeryl Gray so as to continue to acquire this money for themselves in this multi- million dollar theft of the assets, properties, and possessions of Dolores and Jeryl Gray.

There have been literally thousands of pages of Documents and many hours of audio material submitted into this horrific case: however a sizable quantity of this material has been "disappeared" from the records of this case within the involved probate courts 'parties in unlawful, /criminal activities, activities that are being defined as collusion of these parties in CONSPIRACY and RACKETEERING and this case is submitted to FEDERAL TASK FORCE for Investigation of CONNECTICUT CORRUPTION and RACKETEERING..

This horrific situation originated in Spring 2009 in the actions of what is being defined as CONSPIRACY of Stratford Probate Judge F. Paul Kurmay, with Stratford Town Attorney /Elder Law Firm owner Attorney Kevin Kelly (and Attorney Carmine Perri) with involved parties of Attorney Lawrence Engelman and Attorney Fred Krug and Attorney Sonja Devitt and Jay Gray and Attorney Katrina Camera and Stratford Senior Services Carrie McNanama and DSS Chet Walters, and medical practice of Dr Vivian Argento and Attorney Amy Todisco, as well as Stratford Police, all of whom have history of such self-profiting implications within this case *and in other cases* involving the Kurmay, Kelly etc. gang of "colleagues" in such matters.

These parties were and remain involved together in similar actions which have similarly resulted in the parties' unjust self-enrichment via the transfer of assets away from the target prey, the stripping of target preys' rights and the subsequent seizure of their assets for themselves.

Subsequent to this initial installation of Dolores Gray by Attorney Kelly and Judge Kurmay into this asset-robbing RACKET of probate court, Attorney Beverly Streit -Kefalas of Milford has utilized her position as a probate judge to perpetuate the crimes being committed against Dolores and Jeryl Gray, as have Attorney Sonja Devitt and Dr Denis McBride and the staff of Milford Probate, including Betsy Davis and Deana Nemec Diamond may be also implicated in these unlawful actions, as they have been reputedly been so.

Judge Keyes, from the very beginning and throughout his pendency of first ruling against Jeryl Gray's requested recusal of Judge Streit-Kefalas and then one year later, in his then taking over for her when she herself then sought to escape from this case, has, from the beginning of his involvement, egregiously also conducted himself in unlawful actions indicating his complicit participation in these crimes.

Indeed, Jay Gray has gloated to Jeryl that not only was her counsel in on it with his side against Jeryl and Mom, but so is the court as well and there is much evidence that what Jay Gray has boasted is true.

Apparently, true to his words, Judge Keyes has on his own chosen to self-recuse and now this case has been dumped into the hands of a fourth probate judge.


Note: Their leader, Judge Knierim is also implicated within purview of unlawful conduct of what has been so accurately defined as the "irredeemably corrupt"

CONNECTICUT PROBATE / ELDER LAW RACKET.

I am requesting to this new Judge Burt, that he Order Attorney Camera to immediately release to me my requested money which I need to survive as at this point,  
I AM COMPLETELY DESTITUTE.

I am requesting to Judge Burt that I immediately be given access to my legal Home, 42 Sampson Ave Milford which was intended to be the Connecticut residence of my Mother and me and from which all of my lifelong possessions as well as my Mother's (\$250,000.00 worth) were STOLEN by Judge Kurmay and Attorney Camera et al, as was the house itself for purpose of the continued unjust enrichment of the conspiring parties.

I enclose a small sampling of Relevant EXHIBITS. Pursuant to CT probate rule, I am also enclosing material from related current case of above cited involved parties in their theft of and attempted sale of the Stratford CT Home of Dolores and Jeryl Gray.

  
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Jeryl Gray, Self-Represented,  
PO Box 695 Stratford CT 06615,  
(203) 500- 1917, jvgrayconn@hotmail.com

CERTIFICATION FOLLOWS