

## Lutheran Services Florida

### Guardianship Program

Sally is an 84 year old widow. She was born and raised in Florida, where she and her husband raised two children of their own - a son and a daughter. She also has one grandson. When her son was in his early 20's, he was diagnosed with a mental health condition that left him unable to financially support himself. He has since relied on Social Security Disability Income and help from his family to survive. Later in life, after her husband's passing, Sally purchased a home for her son in Sarasota County, so that he would always have a place to live. His sister resides there with him, assisting him with everyday tasks.

Sally lived frugally and accumulated a small sum for her retirement. She owned her home outright and had about \$85,000 in savings. Her retirement income was her monthly \$900 Social Security check. Concerned with her son's financial future, as part of her estate planning process, Sally established a special needs trust in his name. The trust was to include all funds in Sally's bank and savings accounts at the time of her death, as well as proceeds from the sale of her home.

As she grew older, Sally became forgetful and her memory began to falter. She was having trouble handling her finances, balancing her check book, taking her medications properly, and managing her medical care. Her grandson decided to move into her home to help.

Within months of his coming to live with her, Sally's medical and financial conditions drastically worsened. She was hospitalized and deeply in debt. A \$100,000 home equity line of credit had been taken out in her name, all of her savings accounts were depleted, and her checking account had a balance of \$ -78.12.

According to the MetLife Mature Market Institute, women are nearly twice as likely to be victims of elder financial abuse as men. Most victims are between the ages of 80 and 89, live alone, and require some level of help with either health care or home maintenance. Nearly 60 percent of perpetrators are male, and many are close friends or relatives. Studies estimate that only 1 in 44 incidents of elder financial abuse are ever officially documented.

Thankfully, the Florida Department of Children and Families (DCF) and Lutheran Services Florida (LSF) were there to help Sally. DCF was called in to investigate and subsequently referred the case to LSF. Upon being appointed her emergency temporary guardian, LSF immediately addressed Sally's medical needs, coordinating with the hospital and her doctors to ensure she could be discharged safely and receive appropriate care at home. To protect her income, LSF closed out Sally's negative bank account balance, opened a new account in the name of the guardianship, and re-routed her Social Security check. Additionally, LSF worked with DCF and local law enforcement to investigate the matter.

#### Lutheran Services Florida

Lutheran Services Florida serves to bring God's healing, hope and help to people in need in the name of Jesus Christ. LSF sees itself and its employees as called and committed servants of Christ doing God's will by serving the needy, the frail, and the powerless with integrity, faith, love and kindness in order to change lives, restore dignity, work for justice and bring healing, hope and help.

For more information, visit [www.lsfnet.org](http://www.lsfnet.org)

#### Guardianship Program

The LSF Guardianship Program helps protect vulnerable adults from abuse, neglect, and exploitation. Through this program, comprehensive guardianship and case management assistance is provided by certified trained professionals in meeting the varied personal care and financial needs of individuals.

For more information, visit <http://www.lsfnet.org/Services/Pages/Guardianship-Program.aspx>

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MetLife estimates that the cost of elder financial abuse is at least \$2.9 billion a year, yet believes that number is way underestimated and only the tip of the iceberg. In this case, there were purchases for a motorcycle, jewelry, numerous charges for restaurants and bars, day trips, hotels stays, clothing, and large cash withdrawals. Both Sally's home and the one she purchased for her son were transferred into her grandson's name. She has no recollection of signing any documents to accomplish these deed transfers. LSF is working with a guardianship attorney on a separate legal action, in an attempt to rectify the transfer of her real estate and have the two homes retitled to her name.

Sally's grandson was arrested and charged with exploitation of an elder person. The criminal matter is not yet resolved. Sally cries often, not understanding what has happened, so she doesn't want her grandson to go to jail.

Due to the fact that LSF is a nonprofit organization, it is often the guardian of choice when the welfare of an individual without financial means is at stake. Without LSF, people like Sally would have no one to turn to for protection when their own loved one has betrayed them.

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