

# **The Fox is Guarding the Henhouse**

**advice and an alert from the Roxborough Law Office to our senior clients**

With the changes in our economy, some people, who otherwise would never have considered being dishonest, are becoming more desperate for money and control.

Sadly, in the past couple of years we are seeing many senior citizens being taken advantage of, not by strangers, but by people they know and trust, sometimes even by a close relative.

Recently, our office has handled three major pieces of litigation, one in which a senior citizen was “convinced” by a neighbor to change her Will and Power of Attorney, another in which a senior citizen was “convinced” to sign over the deed to his home to a relative, and another in which a daughter looted her mother’s account using her Power of Attorney. In two of these cases, the senior citizens had Wills in place, but were convinced by these people to make changes, without telling anyone in advance. All of the seniors lost sizeable amounts of their savings and their remaining family would have been disinherited without expensive litigation.

**THIS IS A FORM OF ELDER ABUSE AND YOU CAN STOP IT.**

Has this happened to you? Is it happening right now? Here is what to look for and what to do to stop it.

**This is the common scenario that we are hearing repeated too many times:**

## **What will happen:**

You have grown older, you are alone, you want some help in your life. What you really want is a friend who is nearby. A neighbor, a friend (new or old), a family member (maybe even a daughter or son), who does not live with you, suddenly becomes more interested in you and wants to “help you”. He or she offers to come into your home and help you organize your paperwork. You are wary, but he or she seems sincere and, after all, you know or even love them. Let’s be kind for the moment and just call this person a “meddler”.

## **What this “meddler” will say:**

You may already have a Will in place and a Power of Attorney document, but the meddler wants to look at your papers, help you organize, and tells you that you need new documents, that your old ones aren’t right any more. The meddler will suggest that they can get you a new lawyer who can do better. The meddler will tell you that your current papers aren’t right for you and that the people you chose as your Agent or your heirs are the wrong people who don’t really care about you. The meddler will tell you that you don’t need to tell anyone what you are planning, that this is your own private business. So then you won’t share the plan with any other family members or friends who would warn you to stop. You don’t want this person to get angry with you and to stop coming around, so you agree to listen.

## **What the “meddler” wants:**

The “meddler” wants to control your finances while you are living, by having you sign a new Power of Attorney, giving him or her the right to use your money without your knowledge. The meddler wants to be in control over your other heirs and loved ones. The meddler may want you to deed your house over to them. The meddler may want you to add his or her name to your bank accounts. The meddler also may want you to change your Will, making the meddler your Executor, and may want you to give the meddler more than you give your other heirs, or to give them everything.

These secret changes that the meddler is suggesting are the “red flags”. This is more than “meddling”, this is **elder abuse**. This person is a **thief** who is attempting to defraud you and your family of your savings and taking advantage of your good intentions.

## **What to do?**

**STOP.**

Do not go to any lawyer with this person and do not sign anything. Never let this person come into the room with you when you speak with your lawyer.

If you already have a lawyer who prepared your Will and Power of Attorney documents, **CALL YOUR OWN LAWYER** and ask for a free consultation. Explain to your lawyer what is happening, who this person is, and ask your lawyer to review your paperwork. If you don't have a Will or Power of Attorney, choose a lawyer other than the one the thief is suggesting.

If this has already happened to you, it is not too late. Call your own lawyer or a different lawyer from the one the thief has suggested. You have the right to change your documents at any time. If you are homebound, most lawyers will come out to see you.

**You are receiving this letter from our office because you are one of our estate planning clients and we do not want this to happen to you.**

**PLEASE protect yourself. DO NOT SIGN any document without first having a legal review by your own attorney of your choice and an assessment of the appropriateness of the new documents for your needs.**

**CALL US: 215 483 5600**

**E-MAIL US: [info@roxlaw.com](mailto:info@roxlaw.com)**

**A quick consultation and review of your papers could save your and your family from being taken advantage of by an unscrupulous thief. We are here to help.**

Sincerely,

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