The County of Santa Clara continues to strive towards a society in which all persons can live safely, with dignity and respect. The Financial Abuse Specialist Team (FAST) Practices reflect the County's commitment to the vision that all Santa Clara County elders and dependent adults live in a secure, nurturing environment, free of abuse and violence.

The objective of FAST is to ensure that all efforts to protect elder and dependent adult victims of financial crime taken by the FAST members and other agencies within the County of Santa Clara are effective and sensitive to the needs of the victim(s.) Due to the number of factors involved in complicated financial abuse cases, no one group can resolve the issue in isolation. A cooperative effort is essential. Therefore, the following Santa Clara County agencies worked together to write this practice guide: The Office of the District Attorney, Office of the County Counsel, Adult Protective Services and the Office of the Public Administrator/Guardian/Conservator.

We endorse the Santa Clara County FAST Practice Guide and consider it essential that all professionals who participate in FAST under the authority of the Social Services Agency, Office of the District Attorney, and Office of the County Counsel, adopt the practice guide as an integral part of their training and operations. It is anticipated that individuals, organizations and professionals who have not been specifically identified in this practice guide, may, from time to time, be sought out to assist elder and dependent adult victims.

Signed:

[Signature]

Orry Korb, County Counsel,
Office of the County Counsel

[Signature]

James J. Ramoni, Public Administrator/Guardian/Conservator,
Department of Aging and Adult Services

[Signature]

Jeffrey F. Rosen, District Attorney,
Office of the District Attorney

4.19.16

Date

4.11.16

Date

4/1/16

Date
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I. MISSION STATEMENT

The Santa Clara County Financial Abuse Specialist Team (FAST) was formed in 1999, pursuant to Welfare and Institutions Code section 15763(a) which states that “(a) Each county shall establish an emergency response adult protective services program that shall provide in-person response, 24 hours per day, seven days per week, to reports of abuse of an elder or a dependent adult, for the purpose of providing immediate intake or intervention, or both, to new reports involving immediate life threats and to crises in existing cases.” A requirement of the program is the “(3) Establishment of multidisciplinary teams to develop interagency treatment strategies, to ensure maximum coordination with existing community resources, to ensure maximum access on behalf of elder and dependent adults, and to avoid duplication of efforts.”

FAST is composed of selected members from the offices of Adult Protective Services (APS), County Counsel, the District Attorney (DA), the Public Administrator/Guardian/Conservator (PAG/C), and Law Enforcement. The mission of FAST is to identify, investigate, prevent, and remedy financial abuse of elders and dependent adults in Santa Clara County. Rapid response, team confidentiality, and a multi-disciplinary approach are critical components of the success of FAST. Speaking out against financial abuse, educating the public, and supporting legislative changes designed to deter financial exploitation of elders and dependent adults are team values. With these key aspects and motivated members, prompt and decisive action to prevent and remedy financial abuse is accomplished.
II. INTRODUCTION

A. BACKGROUND

The California Legislature has recognized two adult populations that, because of their unique vulnerability, need special protection from the threat of abuse, including financial abuse. These two populations are defined in the California Welfare and Institutions Code as:

- **Elders:** anyone living in the State of California who is 65 years of age or older (Welf. & Inst. Code § 15610.27), and
- **Dependent Adults:** anyone living in the State of California who is between the ages of 18-64 and who has physical or mental limitations that restrict his or her ability to carry out normal activities or to protect his or her rights (Welf. & Inst. Code § 15610.23).

The Legislature recognized that elder and dependent adults who are at the greatest risk of abuse suffer physical impairments and other health related conditions that place them in a particularly vulnerable position, and that identifiable factors contribute to abuse of elders and dependent adults such as: economic instability, caregiver resentment of their responsibilities, stress on the caretaker, and abuse by the caretaker of alcohol and drugs. (See Welfare & Institutions Code § 15600.)

The State of California protects elders and dependent adults from abuse through a comprehensive statutory scheme. The Adult Protective Services agencies in the 58 California counties are mandated to receive and investigate allegations of suspected elder and dependent adult abuse and to take any actions considered necessary to protect elders and dependent adults, with the goal of bringing about change in the lives of victims and enabling them to protect themselves in the future. Adult Protective Services agencies are also directed to establish and maintain multi-disciplinary teams of professionals who provide a broad range of services related to elder and dependent adult abuse. These teams can develop inter-agency strategies to remedy and prevent abuse, ensuring maximum coordination with community resources. FAST is one such multi-disciplinary team.

B. HISTORY OF FAST

Santa Clara County developed the Financial Abuse Specialist Team in May of 1999, in response to trends which showed an aging of the population and an increase in elder and dependent adult abuse reports involving financial exploitation.

In 2015, Santa Clara County Adult Protective Services (APS) received 4,335 reports of abuse, and over 23% of them (approximately 1000 cases) related to financial abuse of elders and dependent adults. While APS is mandated to respond to all reports of abuse, the creation of FAST has allowed APS to work with other departments on financial abuse cases that require a multi-disciplinary response. FAST cases are often complex and require cooperation between APS, County Counsel, the DA, PAG/C, and law enforcement. They may include significant assets at risk or already taken, multiple pieces of real estate, and/or undue influence exerted on a dependent and/or cognitively impaired victim by an abuser.

In establishing FAST, Santa Clara County assembled one of the first structured rapid response processes for immediately addressing reports of elder and dependent adult financial abuse. The Santa Clara County FAST rapid response process involves sending an APS social worker and PAG/C staff into the field together to interview the victim and the suspected abuser at the earliest opportunity. When circumstances warrant, they may be accompanied by a member of law enforcement. The rapid response of the team allows FAST to stop abuse immediately. For example, working together, the team can freeze assets to prevent further loss. The rapid response model has been highly successful and is considered a best practice model to approach prevention and remedies of elder and dependent adult financial abuse.
III. FAST CONFIDENTIALITY STANDARDS

A. MAINTAINING CONFIDENTIALITY OF INFORMATION AND RECORDS

Maintaining confidentiality is a critical aspect of FAST practices. Information and records related to reports of suspected abuse and FAST investigations are confidential and may not be disclosed. (See Welfare & Institutions Code sections 10850, 10850.1, 15633, and 15633.5.) Information obtained by team members shall be maintained in a manner that ensures the maximum protection of privacy and confidentiality rights of the elder or dependent adult.

Multiple provisions of the Welfare and Institutions Code allow multi-disciplinary team members to share information relevant to the prevention, identification, or treatment of elder or dependent abuse without breaching confidentiality. (See Welfare & Institutions Code sections 10850.1, 15633(b), 15633.5, 15640, and 15754(a).) However, some FAST members may not be covered by these provisions. FAST members not employed by the County are generally required to sign an acknowledgement of their confidential obligations when they begin participating in FAST. Any team member receiving confidential information by virtue of their FAST participation shall be under the same confidentiality obligations and subject to the same penalties as the person disclosing the information. Information discussed at FAST meetings should be held strictly among FAST members. Law enforcement team members will be responsible for ensuring that their criminal discovery obligations are met.

All FAST members must be trained on the confidentiality protocols. Because of the complexity of confidentiality requirements and the importance of protecting information, FAST members are strongly encouraged to seek advice from County Counsel if there are questions regarding the disclosure of confidential information.

B. ATTORNEY-CLIENT PRIVILEGE

County Counsel is the legal advisor to the County of Santa Clara. However, it is important to note that the participation of County Counsel attorneys on FAST does not ensure that the attorney-client privilege will apply to information shared among FAST members.

The attorney-client privilege is a legal concept that protects communications between a client and his or her attorney and keeps those communications confidential. The privilege is designed to foster frank, open, and uninhibited communication between the client and attorney, so that the client’s legal needs are completely addressed by a fully prepared attorney who is cognizant of all relevant information the client can provide. For this reason, the privilege protects from disclosure only those communications that are intended by the client to be confidential as a part of an overall relationship between the client and his or her attorney. In this context, the attorney-client privilege may be subject to waiver if the protected communication is made in the presence of third persons or when the content of the protected communications is disclosed to a third person without a legitimate need to know.

Given the fragile nature of the attorney-client privilege, County Counsel advises County FAST members that the attorney-client privilege may not apply to all communications between County FAST members and County Counsel during FAST meetings because of the presence of non-client third parties. If FAST members have questions with respect to whether certain communications between County Counsel and FAST members fall within the scope of the attorney-client privilege, members should inquire with County Counsel before the communication is made.

IV. TEAM MEMBERS & THEIR ROLES

A. ADULT PROTECTIVE SERVICES

The goals of the Adult Protective Services program are to protect and prevent the risk of abuse to elders and dependent adults, to promote independence by enhancing personal strengths, to establish or engage support systems, and to provide advocacy and assistance to reduce vulnerability of an elder or dependent adult. APS seeks to support an elder or dependent adult safely in his or her normal environment and to
strengthen an elder or dependent adult’s ability for self-maintenance. APS accomplishes these goals through the direct provision of services and/or by linking the elders or dependent adults with appropriate community based resources.

APS plays a central role in screening and initiating FAST cases. By statutory mandate, APS receives all reports of elder and dependent adult abuse in Santa Clara County. Welfare and Institutions Code sections 15630 and 15630.1 designate mandated reporters, including caregivers, health practitioners, clergy members, and financial institution employees, who are required to report suspected elder or dependent adult abuse. (For more information on mandated reporters, see Appendix C.)

APS receives reports and referrals from mandated reporters and others in the community. Other FAST members such as the DA and PAG/C can also refer cases to APS, regardless of whether the case will ultimately become a FAST case. Upon receipt of a suspected elder or dependent adult abuse allegation, APS makes a determination regarding the information reported and conducts a risk assessment. The case may be assigned to an APS social worker, who conducts an in-person interview of the elder or dependent adult to assess the client and investigate the allegations and the situation. The APS social worker may make collateral contacts (e.g. the person(s) who may be suspected of abuse, family members, neighbors, primary care physician, attorney, or social workers) as part of their investigation to determine if the abuse is confirmed, inconclusive or unfounded. If needed, the APS social worker may at any time call law enforcement for assistance in intervening in an emergency situation, for safety reasons or to report a possible crime. Welfare and Institutions Code section 15640 also requires APS to cross-report known or suspected criminal activity to law enforcement. (For more information, see Appendix C.)

The initial eligibility screening and risk assessments conducted by APS determine whether a case on suspected financial abuse is a FAST case. If so, APS social workers work on the case with members of PAG/C, the DA, County Counsel, and law enforcement to advance the investigation and provide interventions and positive outcomes for the victim of abuse. APS also assesses and investigates elder and dependent adult abuse and neglect cases that are not FAST cases, including cases involving physical abuse, neglect, financial abuse, abandonment, isolation, abduction, and self-neglect.

B. PUBLIC ADMINISTRATOR/GUARDIAN/CONSERVATOR

The mission of the Office of the Public Administrator/Guardian/Conservator (PAG/C) is to safeguard the lives and property of conservatees who cannot care for themselves, with the least possible restriction of their personal liberties. A probate conservatorship is a protective court proceeding in which a conservator is appointed by the court to manage the personal care of a person who cannot properly provide for his or her personal needs for physical health, medical care, food, clothing or shelter ("conservatorship of the person"), and/or to manage the financial affairs of a person who is substantially unable to manage his or her own financial resources or to resist fraud or undue influence ("conservatorship of the estate").

In FAST cases, the PAG/C receives referrals of suspected elder or dependent adult abuse from APS. The PAG/C works closely with APS, as well as with other community partners, to explore community resources to assist the elder or dependent adult and resolve the situation without resorting to a conservatorship proceeding, if possible.

If the PAG/C determines that an elder or dependent adult requires the assistance of a conservatorship (of the person and/or the estate), the office will seek to locate appropriate family and friends to serve as conservator. If no one is willing, able or appropriate to act as conservator, the PAG/C may initiate conservatorship proceedings. The PAG/C works with County Counsel in seeking appointment as conservator. Information to pursue a conservatorship will often include a Medical Capacity Declaration, as well as other supplemental information addressing several key areas including:

1. The inability of the proposed conservatee to properly provide for his or her needs for physical health, food, clothing, and shelter;
2. The location of the proposed conservatee’s residence and the ability of the proposed conservatee to live in the residence while under conservatorship;
3. Alternatives to conservatorship considered by the petitioner and reasons why those alternatives are not available;
4. Health or social services provided to the proposed conservatee during the year preceding the filing of the petition, when the petitioner has information as to those services;
5. The inability of the proposed conservatee to substantially manage his or her own financial resources, or to resist fraud or undue influence.

Upon appointment as conservator, the PAG/C receives complete authority to conduct a further financial investigation and may pursue the recovery of the conservatee's assets. Options available to the PAG/C include pursuing civil action to recover the conservatee's assets. PAG/C continues to work closely with APS and other FAST members to remedy and prevent abuse of conservatees.

C. COUNTY COUNSEL
The Office of the County Counsel is the legal advisor to the County of Santa Clara. In that capacity, attorneys assigned to FAST will provide prompt, thoughtful, and effective legal advice to individual County agencies, departmental members, and FAST as a whole. At FAST meetings, attorneys are readily available to field a multitude of legal questions related to ongoing FAST investigations. Common legal questions involve matters such as client confidentiality, conservatorships, will and trusts, real estate, and civil financial elder and dependent adult abuse litigation. County Counsel attorneys are available to respond to general legal questions on the availability of civil protective proceedings for abuse victims, as well as other less restrictive alternatives. Attorneys also facilitate discussion of civil legal issues with an aim toward identifying prompt and practical solutions. When PAG/C has been appointed to a conservatorship, County Counsel can prosecute civil actions on behalf of the conservatee to recover losses from financial abuse, undue influence, and fraud. Information gathered and shared by FAST members assists County Counsel in bringing successful actions to recover losses due to financial abuse.

As discussed in Part III of this practice guide, the attorney-client privilege does not necessarily apply to all interactions with County Counsel. FAST members with questions about the attorney-client privilege should seek advice from County Counsel before disclosing information. Moreover, given the depth and complexity of legal issues related to civil FAST investigations, County Counsel recommends that County FAST members are encouraged to seek civil legal advice from the assigned FAST attorney at the earliest opportunity.

D. DISTRICT ATTORNEY
The District Attorney's (DA) Office prosecutes criminal cases, including criminal financial abuse cases involving elders and dependent adults. The DA's office works with FAST members and law enforcement agencies throughout the County in the investigation and prosecution of abusers who commit criminal violations. In addition, the DA's office provides assistance in identifying potential criminal violations. Once a case has been identified as possibly criminal in nature, then both the Deputy District Attorneys and the DA Investigator assigned to FAST provide investigative support to FAST members, so that information and evidence are gathered quickly and effectively. At the conclusion of the investigation, the District Attorney's Office issues criminal complaints, prosecutes the case, and works to obtain restitution for the victim(s.)

In 2015, the District Attorney's Office, APS, and law enforcement agencies commenced updating the Elder and Dependent Adult Abuse Protocol for Law Enforcement in Santa Clara County, which provides guidelines for law enforcement agencies investigating elder and dependent adult physical and financial abuse cases.

During a FAST meeting, the Deputy District Attorney (DDA) will listen to the discussions, with a focus on possible future criminal prosecution of the case. The DDA will provide a sounding board for interventions and resolutions that will be compatible with the needs of a criminal investigation and prosecution. As part of this process, the DDA will assist other team members in understanding the elements of the criminal law as it relates to elder and dependent adult financial abuse.
E. LAW ENFORCEMENT

Law enforcement agencies in Santa Clara County include County departments, such as the Sheriff’s Office and Probation Department, and non-County departments, such as the police departments operated by cities. (For a list of law enforcement agencies in Santa Clara County, see Appendix E.)

Representatives from local law enforcement agencies may attend scheduled FAST meetings if they are currently investigating a FAST case on the agenda. Having a law enforcement representative present allows other FAST members to ensure that all agencies involved in the case have the necessary information to do their respective jobs in an effective and efficient manner.
V. THE FAST PROCESS

The flow chart below gives an overview of the FAST process, described in detail in the following sections.

**FAST FLOW CHART**

Referrals From
Friends/Relatives / Neighbors/Mandated Reporters

Referrals from District Attorney

Adult Protective Services
(408) 975-4900
or
1-800-414-2002

Referrals From Public Administrator/Guardian/Conservator (PAG/C)

**Adult Protective Services (APS)**
1. Receives Reports of Suspected Abuse
2. Screens for Eligibility
3. Conducts Risk Assessment

- **High**
  - Financial Abuse Specialist Team (FAST) Rapid Response
  - Immediate Interventions
    - 911/Medical Provider Contact
    - Call For Law Enforcement Assistance
    - FAST Investigation
    - Use Probate Code 2901 to Freeze Assets
    - Referral for Probate Conservatorship
    - Private Attorney
    - Community Legal Services
    - District Attorney
    - County Counsel

- **Low**
  - 10 Day Response
  - Bi-Monthly FAST Meeting
  - Interventions
    - Referrals for Services
    - Advocacy
    - Family Support
    - APS Case Management
    - PG Investigation/Evaluation Conservatorship
A. REFERRALS: HOW FAST RECEIVES CASES

FAST cases are reported to APS, which responds to all reports of elder and dependent adult abuse in Santa Clara County. Reports are made to (408) 975-4900 or 1-800-414-2002. Welfare and Institutions Code sections 15630 and 15630.1 designate mandated reporters, including caregivers, health practitioners, clergy members, and financial institution employees, who are required to report suspected elder or dependent adult abuse to APS. (For more information on mandated reporters, see Appendix C.) FAST cases may also be referred to APS by other FAST members, including PAG/C, local law enforcement, the District Attorney’s office and County Counsel.

Generally, when a potential FAST case is referred to APS, an SOC 341/342 is completed. Based on the allegations of abuse, APS makes an initial determination as to whether it is a FAST case (For a copy of the SOC forms, visit the following web site: http://www.dss.caahwet.gov/Forms/English/SOC341.pdf.)

B. FAST CASE FACTORS

FAST focuses on cases that benefit from multi-agency intervention to protect the elder/dependent adult and his/her assets. Below are the general criteria typically used to determine if a report is a FAST case.

<table>
<thead>
<tr>
<th>PHYSICAL/EMOTIONAL (may have 1 or more)</th>
<th>FINANCIAL (must have at least 1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Victim suffers a cognitive impairment such as:</td>
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<tr>
<td>- Dementia including Alzheimer’s disease</td>
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<tr>
<td>- Parkinson’s disease</td>
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<td>- Huntington’s disease</td>
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<td>- Traumatic brain injury</td>
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<td>- Subdural hematoma</td>
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<td>- Hydrocephalus</td>
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<td>- Brain Tumor</td>
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<tr>
<td>Victim suffers from a medical and/or physical impairment such as:</td>
<td></td>
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<tr>
<td>- Chronic/serious medical conditions</td>
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<tr>
<td>- Blindness/hearing impairment</td>
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<tr>
<td>- non-ambulatory or needs assistive devices</td>
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<tr>
<td>Victim’s physical well-being is at risk for basic needs such as:</td>
<td></td>
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<tr>
<td>- Bathing</td>
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<tr>
<td>- Nutrition</td>
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<tr>
<td>- Toileting</td>
<td></td>
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<tr>
<td>- Ambulation</td>
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<tr>
<td>Victim is dependent on the suspected abuser:</td>
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<tr>
<td>- Emotionally</td>
<td></td>
</tr>
<tr>
<td>- Physically</td>
<td></td>
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<tr>
<td>Victim’s emotional well-being is at risk due to issues such as:</td>
<td></td>
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<tr>
<td>- Isolation</td>
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<tr>
<td>- Loneliness</td>
<td></td>
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<tr>
<td>- Substance Abuse</td>
<td></td>
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<tr>
<td>- Grief</td>
<td></td>
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<tr>
<td>- Anxiety</td>
<td></td>
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<tr>
<td>- Depression</td>
<td></td>
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<tr>
<td>- Confusion</td>
<td></td>
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<tr>
<td>Victim is unable to get suspected abuser to provide physical necessities:</td>
<td></td>
</tr>
<tr>
<td>- Food</td>
<td></td>
</tr>
<tr>
<td>- Clothing</td>
<td></td>
</tr>
<tr>
<td>- Shelter</td>
<td></td>
</tr>
<tr>
<td>- Medical Needs</td>
<td></td>
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<tr>
<td>Victim is subject to undue influence regarding their own health or well-being due to:</td>
<td></td>
</tr>
<tr>
<td>- Declining necessary medical treatment.</td>
<td></td>
</tr>
<tr>
<td>- Being persuaded to make decisions that are not in the victim’s best interest.</td>
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</tr>
</tbody>
</table>
C. JOINT VISITS & INVESTIGATION BY APS AND PAG/C

When a financial abuse case is determined to meet FAST criteria, APS notifies the PAG/C’s Office and provides a copy of the SOC 341/342. Typically, each FAST case is investigated by an APS social worker, working in concert with a Deputy Public Guardian and an Estate Administrator from PAG/C. Once the team members have gathered some initial information, they attempt to conduct one or more joint visit(s) to the residence of the elder or dependent adult. Law enforcement personnel may also attend the visit(s).

Team members may also make additional visits to the elder or dependent adult after or separate from the initial joint visit(s), and/or have calls or in-person interviews with the suspected abuser, family members, friends, caregivers, neighbors, primary care physician, attorney, social workers, or any other person the elder or dependent adult requests. The APS social worker or PAG/C staff may at any time call law enforcement for assistance in intervening in an emergency situation, for safety reasons, or to report a possible crime.

The assessments and investigation process conducted by FAST members are joint activities and usually involve the APS social worker, the Deputy Public Guardian, and the Estate Administrator working together to divide roles and responsibilities in the way most effective and efficient in that particular case, with law enforcement assistance where appropriate. Each FAST professional is responsible for complying with the mandates of his or her agency in assessing and investigating cases.

1. APS Assessment and Investigation

When assessing a case of abuse involving an elder or dependent adult, APS social workers aim to engage and establish rapport with the victim. The APS social worker assigned to a FAST case will attempt to meet with the elder or dependent adult alone or with the PAG/C professionals involved in the case for the purposes of conducting an assessment pursuant to Welfare and Institutions Code § 15600 et seq., which includes assessing:

   a. The concerns and/or needs of the elder/dependent adult;
   b. The purpose of the APS visit and questions regarding the allegation;
   c. The activities of daily living that the elder/dependent adult may need assistance with, such as bathing, dressing, feeding, meal prep/planning/grocery shopping, toileting, transferring in and out of a wheelchair, walking, medication management, bill paying, transportation, using a telephone, and household chores/cleaning/laundry;
   d. The elder/dependent adult’s current medical status and history;
   e. The elder/dependent adult’s ability to advocate for themselves;
   f. The elder/dependent adult’s risk of abuse and/or neglect;
   g. The elder/dependent adult’s strengths, such as support networks of family, friends, church, neighbors, professionals, or community agencies;
   h. The elder/dependent adult’s resources, such as income sources, legal documents such as a power of attorney, living trust and/or will, insurance benefits;
   i. The elder/dependent adult’s mental state, using the Mini Mental Status Exam (MMSE) and the Geriatric Depression Scale.

Along with the PAG/C staff and law enforcement, the APS social worker will also conduct an investigation regarding the alleged elder or dependent adult financial abuse. The investigation may begin during the first visit with the elder or dependent adult, though additional visits are sometimes required to conduct collateral interviews of family members/friends/caregivers and the suspected abuser. Information gathered for investigation purposes can include:

   a. Date and time of the incident(s);
   b. Name of the suspected abuser(s);
   c. Summary of allegations;
   d. Characteristics of the victim’s environment;
   e. Abuse indicators observed or reported at time of investigation;
f. Physical evidence;
g. A description of how and why the abuse appears to have been committed;
h. Statement of the elder or dependent adult;
i. Assessment of elder or dependent adult’s willingness to cooperate with investigation;
j. Suspected abuser’s statement(s);
k. Statements of other pertinent parties;
l. Other agencies involved with the investigation.

The APS social worker may also follow-up with the elder or dependent adult’s primary care physician or other medical provider to request further evaluation of medical or cognitive functioning if there are concerns that the elder or dependent adult is at-risk. The physician or medical care provider may also be asked to complete the “Capacity Declaration-Conservatorship” form GC-335, and the Attachment form. (See Appendix F for links to these forms.) If the elder or dependent adult exhibits medical/cognitive deficits and is in a high risk situation then, based on the information from the elder or dependent adult’s medical provider, APS may make a formal referral to the PAG/C for appointment of a probate conservatorship of the elder or dependent adult.

2. PAG/C Assessment and Investigation
The Deputy Public Guardian and Estate Administrator from PAG/C also conduct an assessment of the elder or dependent adult and an investigation into the allegations of abuse. PAG/C staff work in communication with APS staff and law enforcement so as not to duplicate efforts. The assessment by PAG/C involves gathering information from the elder/dependent adult, collateral contacts and observation, and includes, but is not limited to:

a. Physical Environment (type of dwelling, own/rent, who else living at residence, food available, appropriate furnishings and clothing, housekeeping and safety issues, isolation, hoarding);
b. Physical Health (primary care physician, date of last medical visit, known medical problems, taking appropriate prescriptions, ambulatory, need for glasses or hearing aid);
c. Mental Health (prior history, taking psychotropic medication(s), ability to converse, whether the elder/dependent adult appears confused or incoherent);
d. Activities of Daily Living, such as those described above;
e. Financial (real and personal assets and liabilities, failure to pay bills, giving away money or property, insurances, legal issues and loans to others).

The PAG/C staff will also conduct an investigation regarding the alleged elder or dependent adult financial abuse. If persons of interest are present during the initial joint visit with the victim, PAG/C staff and law enforcement may attempt to interview the person of interest while the APS social worker is assessing the victim to determine some of the information about the incident described in the previous section. After the visit, the APS social worker and PAG/C staff will share their findings.

In addition to information about the abuse allegations that can be determined in the initial and subsequent visits, the Estate Administrator from PAG/C may conduct an investigation of records and documents to determine the financial situation and the merits of the financial abuse allegations. The investigation by the Estate Administrator may include:

a. Identifying any missing assets, as well as assets that remain in proposed conservatee’s possession/control;
b. Confirming the ownership of real property and any encumbrances which have been placed upon the property;
c. Locating and evaluating all personal property;
d. Accessing various databases including real property ownership indices, civil court dockets, property tax information, and other publicly available information;
e. Obtaining court orders authorizing health care providers, financial institutions, and others with financial information about the elder or dependent adult to provide the PAG/C with
medical and financial information and records;
f. Where the suspected abuse involves real property transactions, contacting title companies, real estate brokers, mortgage brokers, notaries public, and other persons involved in transactions, to obtain loan applications, closing documents, appraisals, bank transmittals, etc.;
g. Where the suspected abuse involves personal property, contacting brokerage houses, financial institutions, asset managers, financial advisers, and other fiduciaries, to obtain records relating to the assets in question, including histories of the proposed conservatee's investment history with that individual or institution;
h. Investigating the proposed conservatee's estate plan, if any, to determine whether or not the suspected abuser is also a named beneficiary under the victim's estate plan, and whether or not the estate plan was procured by undue influence.

Information obtained by the Estate Administrator in the investigation allows PAG/C to make recommendations to secure and recover assets belonging to the elder or dependent adult. The Probate Code further permits the PAG/C to take possession and control of certain real or personal property of a person that is subject to loss, injury, waste, or misappropriation when the PAG/C has determined that the requirements for appointment of conservatorship of the estate are satisfied and intends to apply for appointment. The information is also useful for the purposes of supporting petitions for appointment as conservator; formulating a service plan for the conservatee; and planning civil recovery actions for the conservatee, as well as a case for FAST discussion.
The following flow chart reflects some of the questions raised in the APS and PAG/C joint investigation process and their effect on the team's decisions. For examples of additional considerations, see the FAST Meeting Presentation Format used to present team members' findings at FAST meetings. (See Appendix G)
D. THE FAST MEETING

The purpose of the FAST meeting is to provide a forum to discuss cases, create and plan intervention strategies, and to agree on the assignment of tasks to the various team members. A case is generally presented after the first joint visit or meeting with the elder or dependent adult, unless it appears to need immediate intervention by FAST.

At the FAST meeting, members review the Report of Suspected Dependent Adult/Elder Abuse (SOC 341) form for background information regarding the parties and the allegations. After each case is discussed, copies of these forms are returned to APS. When the meeting concludes, the copies are destroyed to preserve confidentiality.

Each case discussion begins with presentations from an APS social worker, members of the PAG/C staff, and other team members with knowledge of the case. Cases are presented using the FAST Meeting Presentation Format. (See Appendix G) The presentation format provides a guideline for team members to follow in the oral presentation. Although some team members may write notes on the form, the answers are only presented orally and the written notes are not shared with anyone else. FAST notes are confidential.

The presentation format suggests that team members present the following information, if available, in the following order:

a. Presented by the APS Social Worker:
   1. Basic information on elder or dependent adult and suspected abuser;
   2. History of communications with the elder or dependent adult, law enforcement/DA involvement, prior APS referrals;
      o The DA or law enforcement officers present at the meeting may elaborate on contact with elder or dependent adult in this portion of the presentation;
   3. Status and results of Mini-Mental Exam and Medical Capacity Declaration;
   4. Narrative of relationship between elder or dependent adult and suspected abuser and summary of suspected abuse;
   5. Living situation, caregivers, family, and community contacts.

b. Presented by the Deputy Public Guardian from PAG/C:
   1. Additional communications with the elder or dependent adult;
   2. General personal financial information, such as income, expenses, bank accounts held by the elder or dependent adult;
   3. Sources of financial information such as money managers and tax preparers.

c. Presented by the Estate Administrator from PAG/C:
   1. Additional communications with the elder or dependent adult;
   2. Verification of personal finances (through records, etc.) and further information on the elder or dependent adult's estate, including wills and trusts;
   3. Information on legal representatives, such as durable powers of attorney, private attorneys, notaries, etc.;
   4. Information on the elder or dependent adult and/or suspected abused obtained at the Santa Clara County Assessor's Office, Clerk-Recorder's Office, and Superior Court (Civil, Criminal, Family), and the U.S. Bankruptcy Court.

d. Presented by County Counsel:
   1. Activity by County Counsel related to the case;
   2. Next steps in case;
      o Open for discussion with whole team.
The team analyzes the information presented and considers:

- The safety of and risk to the elder or dependent adult;
- The history of financial abuse, and whether the abuse is ongoing;
- The elder or dependent adult’s ability to manage their needs independently;
- The need for additional information or documents relevant to the case, such as:
  - Copies of the elder or dependent adult’s legal and financial documents such as a Will, Living Trust, Durable Power of Attorney, real estate documents, bank records, credit cards statements, and wire transfer receipts;
  - Copies of police reports, or other information that could be obtained through cross reporting to law enforcement;
  - Medical evaluation for physical and/or psychological needs;
  - Additional interviews of family members, friends, and health care professionals by FAST members assigned to the case and/or other local law enforcement;
- The need for advocacy;
- Possible interventions.

If needed, the case may be calendared for discussion at the next FAST meeting to report on additional information obtained, to update the team on interventions, or to consider further strategies.

E. INTERVENTIONS

Typically, FAST members determine as a team what interventions are appropriate for an elder or dependent adult when the case is discussed at the FAST meeting. When a case presents an urgent need for intervention, team members may begin taking necessary steps before the FAST meeting takes place.

Some of the most common interventions in FAST cases include:

a. The elder or dependent adult may be in need of hospitalization, or medical appointment by physician or public health nurse.

b. The elder or dependent adult’s support systems may agree to provide additional services.

c. The elder or dependent adult may be referred for a variety of services such as caregiving services, meal delivery, housing resources, and legal resources.

d. The elder or dependent adult may be assisted with applying for public assistance programs, medical services, and transportation services.

e. The elder or dependent adult may be in need of a conservatorship. The conservator may be a family member, other community member, or the PAG/C.

f. While a conservatorship petition is pending, the elder or dependent adult’s assets may need protection through the use of Probate Code 2901.

g. Civil actions may be filed to protect or recover the elder or dependent adult’s assets. When PAG/C is the conservator, County Counsel may be involved in filing civil actions. Private attorneys may also file civil actions on behalf of elders and dependent adults.

h. Criminal actions may be filed against suspected abusers by the DA.

i. FAST members may coordinate with law enforcement. (See the Elder and Dependent Adult Abuse Protocol for Santa Clara County Law Enforcement for more information.)

Depending on the status of the case and the types of interventions deemed appropriate at the FAST meeting, APS, PAG/C, and/or other FAST agencies may take responsibility for providing and coordinating these interventions. FAST members work cooperatively across agencies where appropriate.
F. CLOSING THE CASE

FAST cases end when the team provides successful intervention, or determines that further intervention by FAST is not warranted or possible. Cases may be closed after the assessment/investigation reveals that the abuse allegations are unfounded and the elder or dependent adult is not at risk of abuse, and does not need services. Other cases may go through a series of interventions by APS, PAG/C, and/or other FAST members before the team determines that the case should be closed.

FAST members follow their departmental procedures for recording and documenting case closures. For example, PAG/C produces a closing report on any case referred by APS for a conservatorship if PAG/C does not file a conservatorship on the case.

VI. ADDITIONAL FAST ACTIVITIES

A. EMERGENCY FAST

Regular FAST meetings occur twice a month; however, occasionally there are investigations with allegations that if confirmed, would amount to an imminent risk of physical and/or financial harm to the alleged victim. Members are aware of these types of investigations and are committed to making themselves immediately available. Depending on the nature of the investigation, FAST meetings can be convened anytime, with minimal notice, and members are expected to attend personally or by telephone.

B. PREVENTION AND OUTREACH

It is often difficult to recover an elder or dependent adult's assets once they have been lost. Accordingly, FAST supports and encourages prevention as a tool for protecting elders and dependent adults. FAST members provide outreach and education to the community regarding elder and dependent adult abuse, prevention and resources, and where to report. The District Attorney's Office and APS provide presentations to elders regarding scams and identity theft, how it occurs and how to protect themselves.

VII. ACKNOWLEDGMENTS

The following persons and their agencies in Santa Clara County created the original practice guide: Kimberly Connors, Esq. and Cherie Bourlard, Esq. (Office of the District Attorney), Victoria Fedor-Thurman (Department of Aging and Adult Services, Public Administrator/Guardian/Conservator), Mark Gonzalez, Esq., Tamara Lopez, Esq., and Anjali Bhargava, Esq. (Office of the County Counsel); Barbara Herlihy (Department of Aging and Adult Services, Public Administrator/Guardian/Conservator); Valerie Smith, LCSW (Department of Aging and Adult Services, Adult Protective Services).

The following Santa Clara County APS social workers helped develop the decision tree on p. 12 of this practice guide: Matthew Breaux, MSW, Sarah Bromley, LCSW, Lettie Ordone, LCSW, Roddie Pickens, MSW.

The practice guide was edited in 2016 by the 2016 FAST protocol team, a sub-set of the FAST team consisting of policy makers from Adult Protective Services, the Public Administrator/Guardian/Conservator, County Counsel and the District Attorney's Office.
### APPENDIX A: APPLICABLE CODE SECTIONS

#### A. LEGAL AUTHORITY FOR FAST

| Multi-Disciplinary Teams | Welfare & Institutions Code: 15610.55 |

#### B. PROBATE CODE

<table>
<thead>
<tr>
<th>Establishment of Conservatorship</th>
<th>Probate Codes: 1800-1849.5</th>
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<td>Taking Temporary Possession or Control of Property</td>
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#### C. WELFARE & INSTITUTIONS CODES

<table>
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<th>Legislative Findings and Intent</th>
<th>Welfare &amp; Institutions Code: 15600(d) and (e)</th>
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<td>Definition of Abuse</td>
<td>Welfare &amp; Institutions Code: 15610.07</td>
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<td>Definition of Financial Abuse</td>
<td>Welfare &amp; Institutions Code: 15610.30</td>
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<tr>
<td>Confidentiality</td>
<td>Welfare &amp; Institutions Code: 15633</td>
</tr>
<tr>
<td>Function of Adult Protective Services</td>
<td>Welfare &amp; Institutions Code: 15760</td>
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</table>

#### D. PENAL CODES

<table>
<thead>
<tr>
<th>Financial Abuse of an Elder or Dependent Adult by a non-caregiver</th>
<th>Penal Code: 368(d)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Financial Abuse of an Elder or Dependent Adult by a Caregiver</td>
<td>Penal Code: 368(e)</td>
</tr>
<tr>
<td>Grand Theft</td>
<td>Penal Code: 487(a)</td>
</tr>
<tr>
<td>Burglary</td>
<td>Penal Code: 459</td>
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<tr>
<td>Additional Punishments for taking property worth more than $65,000</td>
<td>Penal Code: 12022.6(a)(1)-(4)</td>
</tr>
<tr>
<td>Violation of Restraining Order</td>
<td>Penal Code: 166(c)(1) or 273.6</td>
</tr>
</tbody>
</table>
APPENDIX B: GLOSSARY AND DEFINITIONS

Note: Because the law is constantly evolving, these definitions are periodically amended. Therefore, this glossary should be used only as a starting point. When examining a specific case, please refer to the actual statute that defines the term or phrase you are reviewing to ensure that you have the most current definition. In addition, when uncertain about the meaning of a specific statute, please consult with your department’s counsel.

| Abuse of an Elder or a Dependent Adult: | “Abuse of an elder or a dependent adult” means either of the following: Physical abuse, neglect, financial abuse, abandonment, isolation, abduction, or other treatment with resulting physical harm or pain or mental suffering; or The deprivation by a care custodian of goods or services that are necessary to avoid physical harm or mental suffering. (W&I 15610.07) (Criminal Physical Abuse: Physical: 368(a), (b), (c).) |
| Care Custodian: | “Care custodian” means an administrator or an employee of any of the following public or private facilities or agencies, or persons providing care or services for elders or dependent adults, including members of the support staff and maintenance staff: Staff of a 24-hour health facility; clinic; home health agency; agencies providing publicly funded in-home supportive service; independent living centers; office of the long-term care ombudsman; county welfare departments; offices of public conservators; public guardians; court investigators; Adult Protective Services; and any other protective, public, sectarian, mental health, or private assistance or advocacy agency or person providing health services or social services to elders or dependent adults. [For a complete list of persons defined as “care custodians” please see (W&I 15610.17)] A care custodian is statutorily mandated to report abuse of elder or dependent adults. (W&I 15630) |
| Caretaker: | Any person who has the care, custody, or control of, or who stands in a position of trust with, an elder or a dependent adult. Penal Code Section 368(i). See also W&I Section 15656 (d) |
| *Conservator of the Estate: | A conservator of the estate may be appointed by the Court for a person who is substantially unable to manage his or her own financial resources or resist fraud or undue influence. Probate Code Section 1801(b) |
| *Conservator of the Person: | A conservator of the person may be appointed by the Court for a person who is unable to provide properly for his or her personal needs for physical health, food, clothing, or shelter. Probate Code 1801(a) [Note: the Office of the Public Guardian or a private individual/conservator may be appointed by the Court to serve as the conservator of both the person and estate.] |
| Dependent Adult: | Any person between the ages of 18 and 64, who has physical or mental limitations which restrict his or her ability to carry out normal activities or to protect his or her rights, including, but not limited to, persons who have physical or developmental disabilities or whose physical or mental abilities are diminished because of age. (W&I Section 15610.23) |
| **Elders:** | Any person 65 years of age or older. (W&I Section 15610.27) |
| **Financial Abuse:** | There are several circumstances under which a person can be said to have engaged in "financial abuse." Only one is outlined here; for a complete definition of financial abuse please see Welfare and Institutions Code section 15610.30. "Financial abuse" means a situation in which a person, including, but not limited to, one who has the care or custody of, or who stands in a position of trust to, an elder or a dependent adult, takes, secretes, or appropriates their money or property, to any wrongful use, or with the intent to defraud. (W&I 15610.30) (Criminal Financial Abuse: 368 (d), (e)) |
| **Long term Care Facility:** | A “Long term care facility” means any of five different types of facilities. A description of each type of facility is provided here in an abbreviated manner. For a complete definition, please see Welfare and Institutions Code Section 15610.47 and the provisions of the Health and Safety Code Section referenced after each description.  
   A. Any facility licensed to provide skilled nursing, nursing, intermediate care and rehabilitation treatment for clients including those who are developmentally disabled, congregate living health services and/or pediatric day health and respite care. (W&I 15610.47, Health and Safety Code Section 1418)  
   B. Any licensed or unlicensed “community care facility.” A community care facility means any facility, place, or building that is maintained and operated to provide nonmedical residential care, day treatment, adult day care, or foster family agency services to various populations including the physically handicapped, mentally impaired, incompetent persons and abused or neglected children. A “community care facility” includes the following types of facilities: “residential facility,” “adult day care facility,” “therapeutic day services facility,” “foster family agency,” “foster family home,” “small family home,” “social rehabilitation facility,” “community treatment facility,” “full-service adoption agency.” (W&I 15610.47, Health and Safety Code Section 1502 which defines all of the above-referenced facilities.)  
   C. Any swing bed in an acute care facility, or any extended care facility. (W&I 15610.47)  
   D. Any “adult day health care facility.” An “adult day health care facility” means an organized day program of therapeutic, social, and health activities services provided to elderly persons with functional impairments, either physical or mental, for the purpose of restoring or maintaining capacity for self-care. (W&I 15610.47, Health and Safety Code Section 1570.7)  
   E. Any “residential care facility for the elderly.” A “residential care facility for the elderly” means a housing arrangement chosen voluntarily by persons 60 years of age or over, or their authorized representative, where varying levels and intensities of care and supervision, personal care or health-related services are provided. (W&I 15610.47, Health and Safety Code Section 1569.2) |
| **Power of Attorney:** | A “Power of Attorney” is a written instrument executed by a person who has the capacity to contract that grants authority to another person to act on his or her behalf. The person granting such authority is known as the “principal”; the person designated to act on the principal’s behalf is known as the “attorney-in-fact.” (Probate Code Sections 4014, 4022, 4026.) The “Attorney in Fact” owes the highest fiduciary duty to the principal recognized by the law and cannot |
use his or her position to take advantage of the principal. A power of attorney may be drafted to authorize the attorney-in-fact to make decisions with respect to a single issue, such as, medical treatment; it may be more general and include authority to make decisions with regard to the principal’s finances and it may be ‘durable’ (survives the incompetence of the maker) or ‘nondurable’ (terminates with the incompetence of the principal.) A copy of the Power of Attorney must be obtained and analyzed to determine the authority conferred and under what circumstances is the authority granted. Regardless of the type of power of attorney, it does not authorize the attorney-in-fact to make decisions that contradict the principal’s wishes and it does not authorize the attorney-in-fact to transfer the principal’s property into the attorney-in-fact’s name or to otherwise misappropriate the principal’s assets.

**Trust/Trustee:**
A trust is a contract entered into between a trustor and a trustee, at a time when both parties have capacity that is drafted for the benefit of a beneficiary. Real or personal property is said to be held in “trust” if it is held by a party (the “trustee”) for the benefit of others (the “beneficiaries”). The person signing the trust instrument creating the trust is known as the “grantor” or “trustor.” A copy of the trust instrument must be obtained and analyzed to determine the rights and duties of the parties. The trustee owes a fiduciary duty to the grantor to manage the trust assets according to the provisions of the trust, for the economic benefit of all of the beneficiaries. (Probate Code Section 82; and Black’s Law Dictionary, Sixth Edition.) There are various types of trusts; however, none of them authorize the trustee to act in a manner that is in conflict with the grantor’s wishes as expressed in the trust instrument; in conflict with the interest of the beneficiaries, or for the trustees benefit. Therefore, any of the following acts when undertaken by a trustee should be examined closely: selling property that the grantor does not want sold; placing trust property in the trustee’s name as an individual; failing to keep accurate accountings of the trust property; failing to follow directions given in the trust instrument; giving or gifting trust assets to his or her self (the trustee) or to anyone other than a named beneficiary pursuant to the trust provisions.

**Will:**
A will is a written declaration of a person’s wishes as to the disposition of their property, to take effect after the person’s death. (Black’s Law Dictionary, Sixth Edition, Probate Code Sections 88; 6100 et seq.) The person creating a will (“testator”) must be at least 18 years of age and be of “sound mind,” and the will must follow certain formalities of execution as provided by statute (See Probate Code sections 6100 and 6100.5 for more information regarding the requisite mental capacity to execute a will.) A will has no effect regarding the ownership of property until the testator dies and a beneficiary under a will has no present interest in such property.

The definitions for conservatorships provided here relate to conservatorships granted pursuant to the Probate Code. Please note that there are conservatorships granted pursuant to the Lanterman-Petris-Short Act (LPS) and conservatorships for developmentally disabled persons that are not defined here.
APPENDIX C: OVERVIEW OF MANDATED REPORTING AND CROSS-REPORTING REQUIREMENTS

1. Mandated Reporting

Welfare and Institutions Code Sections (W&I) relating to the protection of elders and dependent adults provide for the reporting of abuse or neglect to various agencies such as Adult Protective Services (APS), local law enforcement, the Long Term Care Ombudsman and others.

- **Who Must Report**

  "Any person who has assumed full or intermittent responsibility for care or custody of an elder or dependent adult, whether or not that person receives compensation, including administrators, supervisors, and any licensed staff of a public or private facility that provides care or services for elder or dependent adults, or any elder or dependent adult care custodian, health practitioner, clergy member, or employee of a county adult protective services agency or a local law enforcement agency is a mandated reporter." *Welfare & Institutions Code Section 15630(a)*

The following is a partial list of mandated reporters:

- Care custodians (e.g., attendants, day care staff, senior center staff)
- Health care practitioners (e.g., doctors, dentists, nurses, therapists, and their office staff)
- Law enforcement agency employees
- Medical examiners
- Paramedics and firefighters
- Code enforcement agency employees
- Animal control agency employees
- Financial institutions employees
- Clergy members
- Adult/child protective services staff
- All staff of Santa Clara County Social Services Agency
- Wire money operators (Western Union, Money Gram, etc.) W&I 15630 (4/2013)

- **Reportable Abuse Includes: From Welfare and Institutions Code Section 15610:**

  a. **Physical**: "Physical abuse means assault; battery; unreasonable physical constraint, or prolonged or continual deprivation of food or water; sexual assault; use of physical or chemical restraint or psychotropic medication for punishment, for a period beyond that for which the medication was ordered or for any purpose not authorized by the physician and surgeon."

  b. **Neglect**: "The negligent failure of any person having the care or custody of an elder or dependent adult to exercise that degree of care that a reasonable person in a like position would exercise."

  c. **Financial**: "Takes or assists in taking, secreting, appropriating, or retaining real or personal property of an elder or dependent adult to a wrongful use or with intent to defraud, or both."
d. **Abandonment**: "The desertion or willful forsaking of an elder or a dependent adult by anyone having care or custody of that person under circumstance in which a reasonable person would continue to provide care and custody."

e. **Isolation**: "Acts intentionally committed for the purpose of preventing, and that do serve to prevent, an elder or dependent adult from receiving his or her mail or telephone calls."

f. **Abduction**: "The removal from this state and the restraint from returning to this state, of any elder or dependent adult who does not have the capacity to consent to the removal from this state and the restraint from returning to this state, as well as the removal from this state or the restraint from returning to this state, of any conservatee without the consent of the conservator or the court."

g. **Self Neglect**: "The negligent failure of the person themselves to exercise that degree of care that a reasonable person in a like situation would exercise."

h. **Other (non-mandated)**: e.g., deprivation of goods and services; psychological/mental.

- **When to Make a Report to APS**:

  Mandated reporters are required to report when:
  
  e. The victim reports abuse has occurred.
  f. Abuse is observed by the mandated reporter.
  g. Abuse is reasonably suspected (e.g., injury or condition.)

"Any mandated reporter who, in his or her professional capacity, or within the scope of his or her employment, has observed or has knowledge of an incident that reasonably appears to be physical abuse (including sexual abuse), abandonment, isolation, financial abuse, abduction, or neglect (including self-neglect), or is told by an elder or dependent adult that he or she has experienced behavior constituting physical abuse, abandonment, isolation, financial abuse, abduction, or neglect, or reasonably suspects that abuse shall report the known or suspected instance of abuse by telephone immediately or as soon as practically possible, and by written report sent within two (2) working days to the appropriate agency."

_Welfare & Institutions Code 15630_

**Steps to report Dependent Adult or Elder Abuse to Adult Protective Services**:

(Call 911 for Life-Threatening Emergencies)

6. Call APS to report dependent adult or elder abuse:
   
   o 408-975-4900 or 1-800-414-2002

7. Complete State of California Abuse report forms:
   
   o Mandated Reporters and all other reporters use this form:
     Report of Suspected Dependent Adult/Elder Abuse: [SOC 341]
   
   o Financial Institutions ONLY use this form:
     Report of Suspected Dependent Adult/Elder Financial Abuse: [SOC 342]

8. Mail the written report within 2 working days to:
   
   o Santa Clara County Adult Protective Services
     333 West Julian St. – Fourth Floor
     San Jose CA 95110

**To report dependent adult/elder abuse that has occurred in a long term care facility such as a skilled nursing facility or residential care facility, call the Long Term Care Ombudsman:**

408-974-0567
Failure to report suspected abuse is a misdemeanor punishable by imprisonment/fine.

Confidentiality: A mandated reporter is required to give their name. The identity of all persons who report shall be confidential. Violation of statutory confidentiality is a misdemeanor. APS may reveal the names of reporting parties only to other investigative agencies as specified by law. No person required to report abuse will bear criminal liability for reporting. No supervisor or administrator may impede or prohibit reporting.

2. Cross-Reporting
Section 15640 (a) (1) of the Welfare and Institutions Code states:

Adult Protective Services shall immediately, or as soon as practically possible, report by telephone to the law enforcement agency having jurisdiction over the case any known or suspected instance of criminal activity, and to any public agency given responsibility for investigation in that jurisdiction of cases of elder and dependent adult abuse, every known or suspected instance of abuse pursuant to Section 15630 or 15630.1 of an elder or dependent adult. A county adult protective services agency shall also send a written report thereof within two working days of receiving the information concerning the incident to each agency to which it is required to make a telephone report under this subdivision. Prior to making any cross-report of allegations of financial abuse to law enforcement agencies, an adult protective services agency shall first determine whether there is reasonable suspicion of any criminal activity.
APPENDIX D: OVERVIEW OF CONSERVATORSHIPS

A probate conservatorship is a protective court proceeding established by clear and convincing evidence. In a conservatorship of the person, a court-appointed fiduciary (the conservator) manages the personal care of a person who cannot properly provide for his or her personal needs for physical health, medical care, food, clothing or shelter. (See Probate Code section 1801(a); California Conservatorship Practice, CEB, Volume 1.)

In a probate conservatorship of the estate, a court-appointed conservator manages the financial affairs of a person who is substantially unable to manage his or her own financial resources or to resist fraud or undue influence. (See Probate Code section 1801(b); California Conservatorship Practice, CEB, Volume 1.)

The conservator’s primary responsibility is to conserve, manage, and use the conservatee’s property for both the benefit of the conservatee, and those he or she is obligated to support.

A. TEMPORARY PROBATE CONSERVATORSHIPS

Temporary probate conservatorships are designed for use in urgent situations when immediate intervention is required to ensure the proposed conservatee’s well-being, and secure the estate of the proposed conservatee until there is a final determination on a petition for appointment of a general conservator.

A petition for appointment of a temporary conservator may only be brought “[a]n or after the filing of a petition for appointment of a...conservator...” (Probate Code section 2250(a).) The “petition shall state facts which establish good cause for the appointment.” (Probate Code section 2250(b).) Good cause is not defined by the temporary conservatorship statutes. However, Santa Clara County local Probate Rules of Court provide that a “situation requiring immediate action to protect the health, welfare, or the estate will be sufficient...” to establish a temporary conservatorship.

At least five days before the hearing on a petition for appointment of a temporary conservator, “[u]nless the court for good cause otherwise orders,” Probate Code §2250(e)(2)-(3) requires personal delivery of the notice of hearing and a copy of the petition to the proposed conservatee. An exception to the notice requirements of §2250, may include a court-ordered change in the time and manner of giving notice. Rule 7.1062(d) (Good Cause exceptions to notice) outlines evidence that may serve as good cause showing, e.g., proof of:

- Harm caused by the passage of time. The showing must demonstrate the immediate and substantial harm to the conservatee or the conservatee’s estate that could occur during the notice period.
- Harm that one or more persons entitled to notice might perpetrate to the proposed conservatee or the proposed conservatee’s estate if notice is given. Such a showing would not support an exception to the requirement to give notice to any other person entitled to notice, unless it also demonstrates that notice cannot reasonably be given to the other person without also giving notice to the persons who might cause harm.
- Medical emergency: The emergency must be immediate and substantial, and treatment (1) must be reasonably unavailable unless a temporary conservator is appointed and (2) cannot be deferred for the notice period because of the proposed conservatee’s pain or extreme discomfort or a significant risk of harm.
- Financial emergency: The emergency must be immediate and substantial and other means shown likely to be ineffective to prevent loss or further loss to the proposed conservatee’s estate during the notice period.
B. GENERAL PROBATE CONSERVATORSHIPS

A petition for appointment as a general conservator must be served fifteen days before the hearing. The standard of proof for the appointment of a conservator is clear-and-convincing (Probate Code section 1801(e)). In most circumstances in order to sustain an appointment of a conservator, a petition must be supported by a capacity declaration prepared by a medical professional. The conservatee is entitled to court-appointed counsel if he or she objects to the appointment of a conservator and is entitled to a jury trial respecting the appointment of conservator.
APPENDIX E: IMPORTANT FAST CONTACTS

A. FAST TELEPHONE DIRECTORY

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>PHONE</th>
<th>FAX</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Protective Services (APS)</td>
<td>(408) 975-4900</td>
<td>(408) 975-4910</td>
</tr>
<tr>
<td>Mon-Fri 8:00 a.m. - 5:00 p.m. and 24/7 Line</td>
<td>(800) 414-2002</td>
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<tr>
<td>County Counsel</td>
<td>(408) 491-4200</td>
<td>(408) 491-4292</td>
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<tr>
<td>Public Administrator/Guardian/Conservator (PAG/C)</td>
<td>(408) 755-7610</td>
<td>(408) 755-7957</td>
</tr>
<tr>
<td>District Attorney’s Office</td>
<td>(408) 792-2525</td>
<td>(408) 279-8742</td>
</tr>
<tr>
<td>Attn: Elder Fraud Unit</td>
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B. SANTA CLARA COUNTY LAW ENFORCEMENT AGENCIES

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<th>AGENCY</th>
<th>PHONE NUMBERS</th>
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<tbody>
<tr>
<td>California Highway Patrol</td>
<td>(408) 467-5400 (408) 467-5407 (Fax)</td>
</tr>
<tr>
<td>2020 Junction Avenue</td>
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<tr>
<td>San Jose, CA 95131</td>
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<tr>
<td>Campbell Police Department</td>
<td>(408) 866-2101 (408) 379-7561 (Fax)</td>
</tr>
<tr>
<td>70 N. 1st Street</td>
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<tr>
<td>Campbell, CA 95008</td>
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<tr>
<td>Gilroy Police Department</td>
<td>(408) 846-0300 (408) 846-0339 (Fax)</td>
</tr>
<tr>
<td>7301 Hanna Street</td>
<td></td>
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<tr>
<td>Gilroy, CA 95020</td>
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<tr>
<td>Los Altos Police Department</td>
<td>(650) 947-2770 (650) 947-2704 (Fax)</td>
</tr>
<tr>
<td>#1 N. San Antonio Road</td>
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<tr>
<td>Los Altos, CA 94022</td>
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<tr>
<td>Los Gatos Police Department</td>
<td>(408) 354-5257 (408) 354-0578 (Fax)</td>
</tr>
<tr>
<td>110 E. Main Street (Admin)</td>
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<tr>
<td>Los Gatos, CA 95030</td>
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<tr>
<td>Milpitas Police Department</td>
<td>(408) 586-2400 (408) 586-2488 (Fax)</td>
</tr>
<tr>
<td>1275 N. Milpitas Blvd.</td>
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<tr>
<td>Milpitas, CA 95035</td>
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<tr>
<td>Morgan Hill Police Department</td>
<td>(408) 776-7300 (408) 776-7328 (Fax)</td>
</tr>
<tr>
<td>16200 Vineyard Blvd.</td>
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<tr>
<td>Morgan Hill, CA 95037</td>
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<tr>
<td>AGENCY</td>
<td>PHONE NUMBERS</td>
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<tr>
<td><strong>Mountain View Police Department</strong></td>
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<tr>
<td>1000 Villa Street</td>
<td>(650) 903-6395</td>
</tr>
<tr>
<td>Mountain View, CA 94041</td>
<td>(650) 962-0180 (Fax)</td>
</tr>
<tr>
<td><strong>Palo Alto Police Department</strong></td>
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</tr>
<tr>
<td>275 Forest Avenue</td>
<td>(650) 329-2413 (Dispatch)</td>
</tr>
<tr>
<td>Palo Alto, CA 94301</td>
<td>(650) 321-3067 (Fax)</td>
</tr>
<tr>
<td><strong>Santa Clara Police Department</strong></td>
<td></td>
</tr>
<tr>
<td>601 El Camino Real</td>
<td>(408) 615-4700</td>
</tr>
<tr>
<td>Santa Clara, CA 95050</td>
<td>(408) 248-0276 (Fax)</td>
</tr>
<tr>
<td><strong>Santa Clara County DA Investigators</strong></td>
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</tr>
<tr>
<td>70 W. Hedding Street</td>
<td>(408) 792-2888</td>
</tr>
<tr>
<td>San Jose, CA 95110</td>
<td>(408) 286-2522 (Fax)</td>
</tr>
<tr>
<td><strong>Santa Clara County Sheriff’s Office</strong></td>
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<tr>
<td>55 W. Younger Street</td>
<td>(408) 808-4705</td>
</tr>
<tr>
<td>San Jose, CA 95110</td>
<td>(408) 808-4730 (Fax)</td>
</tr>
<tr>
<td><strong>Santa Clara County Probation Department</strong></td>
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<tr>
<td>2314 N. First Street</td>
<td>(408) 435-2004</td>
</tr>
<tr>
<td>San Jose, CA 95131</td>
<td>(408) 955-9655 (Fax)</td>
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<tr>
<td><strong>San Jose Police Department</strong></td>
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<tr>
<td>Family Violence Center</td>
<td>(408) 277-3700</td>
</tr>
<tr>
<td>1671 The Alameda, Suite #100</td>
<td>(408) 287-7181 (Fax)</td>
</tr>
<tr>
<td>San Jose, CA 95126</td>
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<tr>
<td><strong>San Jose Police Department</strong></td>
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<tr>
<td>Financial Crimes Unit</td>
<td>(408) 277-4521</td>
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<tr>
<td>201 W. Mission Street</td>
<td>(408) 277-2814 (Fax)</td>
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<tr>
<td>San Jose, CA 95110</td>
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<tr>
<td><strong>San Jose Police Department</strong></td>
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<tr>
<td>Homicide Unit</td>
<td>(408) 277-5283</td>
</tr>
<tr>
<td>201 W. Mission Street</td>
<td>(408) 971-9214 (Fax)</td>
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<tr>
<td>San Jose, CA 95110</td>
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<tr>
<td><strong>San Jose Police Department</strong></td>
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<tr>
<td>Sexual Assault Unit</td>
<td>(408) 277-4102</td>
</tr>
<tr>
<td>201 W. Mission Street</td>
<td>(408) 971-8031 (Fax)</td>
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<tr>
<td>San Jose, CA 95110</td>
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<tr>
<td><strong>San Jose State University Police Department</strong></td>
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<tr>
<td>One Washington Square</td>
<td>(408) 924-2234</td>
</tr>
<tr>
<td>San Jose, CA 95192</td>
<td>(408) 924-2373 (Fax)</td>
</tr>
<tr>
<td>AGENCY</td>
<td>PHONE NUMBERS</td>
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<tr>
<td><strong>Stanford Department of Public Safety</strong></td>
<td>(650) 723-9633</td>
</tr>
<tr>
<td>711 Serra Street</td>
<td>(650) 725-8485 (Fax)</td>
</tr>
<tr>
<td>Stanford, CA 94305-7240</td>
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<tr>
<td>State Parole</td>
<td>(408) 277-1821</td>
</tr>
<tr>
<td>909 Coleman Avenue</td>
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<tr>
<td>San Jose, CA 95110</td>
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<tr>
<td>Sunnyvale Department of Public Safety</td>
<td>(408) 730-7120</td>
</tr>
<tr>
<td>700 All America Way</td>
<td>(408) 737-4942 (Fax)</td>
</tr>
<tr>
<td>Sunnyvale, CA 94088</td>
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</tbody>
</table>
APPENDIX F: OTHER RESOURCES

A. LEGAL RESOURCES:
1. California Courts Self Help Center
   http://www.courtinfo.ca/selfhelp/search.htm
2. Santa Clara County Superior Court
   http://www.sccsuperiorcourt.org/
3. Private Fiduciaries
   http://www.pfac-pro.org/pages.index.htm
   What is a fiduciary?
   http://www.pfac-pro.org/page/nav_what_is_a_fiduciary.htm
4. Restraining Orders
   http://www.sccselfservice.org/ro/dv_restraining.htm#getRO
5. Capacity Declarations form GC-335
   http://www.courtinfo.ca/forms/fillable.gc335.pdf
   http://www.sccsuperiorcourt.org/probate/attachments/pb-4015.pdf
   http://www.courtinfo.ca/forms/fillable.gc335a.pdf

TO LOCATE AN ATTORNEY:
1. California Bar Association
   http://www.calbar.ca.gov/state/calbar/calbar_home.jsp
2. Silicon Valley Bar Association
   http://www.svba.org/index.htm
3. Senior Adults Legal Assistance (SALA)
   http://www.sala.org
4. Bay Area Legal Aid
   http://www.baylegal.org/
5. Santa Clara Bar Association
   http://www.sccba.com/

B. MORTGAGE INFORMATION
1. California Consumer Home Mortgage Information
   http://www.yourhome.ca.gov/mortgage-help.shtml
2. City of San Jose Foreclosure Help
   http://www.foreclosurehelp.scc.org
3. California Department of Real Estate
   http://www.dre.ca.gov/cons_home.html
4. U.S. Department of Housing and Urban Development
   http://www.hud.gov/foreclosure/index.cfm
C. SANTA CLARA COUNTY DEPARTMENT WEBSITES

Adult Protective Services (Santa Clara County): This site contains information about APS, mandated reporting, types of abuse and services offered, and the reporting form (SOC 341.)
http://www.sccgov.org/aps

Santa Clara County District Attorney’s Office: This site contains information about the Santa Clara County District Attorney’s Office, an attorney directory and resource links.
http://www.santaclara-da.org

Santa Clara County Department of Aging and Adult Services: Provides information about the following Social Services Programs: Adult Protective Services, In-Home Supportive Services, the Public Administrator/Guardian/Conservator, Senior Nutrition and links for other useful resources.
http://www.sccgov.org/daas

D. OTHER USEFUL WEBSITES

Alzheimer’s Association: A national organization, with local chapters, that provides supportive programs and services for people diagnosed with Alzheimer’s disease, and their caregivers.
http://www.alz.org/index.asp

American Bar Association: This site offers a brief overview of state laws related to elder abuse, mandatory reporting requirements, and guardianship, the rights of grandparents, and medical and end of life planning.
http://www.abanet.org/media/factbooks/elderlaw.pdf

American Society on Aging: The largest organization of professionals in the field of aging. Publications such as Generations and Aging Today, and several newsletters, are offered online, as well as resources for people working with elders or their families.
http://www.asaging.org

Association for Protection of the Elderly: A national non-profit corporation that seeks to insure civil and criminal liability for all offenses committed against elders and vulnerable adults, especially for those who reside in institutional settings. This site contains advocacy links and information particularly related to improving the quality of care in nursing homes.
http://www.apeape.org

California Advocates for Nursing Home Reform (CANHR): A statewide advocacy program designed to improve the choices, care and quality of life for California’s long term care consumers. The site has a searchable data base of long term care and assisted living facilities.
http://www.canhr.org/about/index.html

California Department of Aging (CDA): A State of California agency that administers programs that serve older adults, adults with disabilities, family caregivers, and residents in long-term care facilities throughout the State.
http://www.aging.ca.gov/about/aboutcda.asp

California Department of Social Services (CDSS): State of California website for Adult Protective Services which also contains links for Adult Protective Services agencies in different counties in the State.
http://www.cdss.ca.gov/agedblinddisabled/PG1298.htm
Department of Justice (DOJ): Part of the Federal Government, works to protect older Americans in a variety of ways, including the Nursing Home Initiative and elder justice efforts to prosecute institutions whose wrongdoing results in harm or death for residents. DOJ prosecutes health care and consumer fraud and enforces civil rights addressing discrimination against older people. Publications and statistics on victimization of older people are available.
http://www.usdoj.gov/

Department of Justice: Tips for Responding to Elderly Crime Victims

Elder Abuse: Types, Causes, and Prevention: Contains definitions of various types, overview of possible causes of abuse, prevention strategies, and resources for additional information.
http://www.geocities.com/~elderly-place/abuse.html

Family Caregiver Alliance: Provides services to enable elders to maintain their health, well-being, independence, and participation in the community.
http://www.caregiver.org

Federal Trade Commission: Provides information on how to recognize and report phone (telemarketing) fraud.
http://www.ftc.gov/bcp/microsites/phonefraud/index.shtml

Institute on Aging: Provides services to enable elders to maintain their health, well-being, independence, and participation in the community.
http://www.ioaging.org

Internet Crime Complaint Center: The Internet Crime Complaint Center (IC3) is an alliance between the National White Collar Crime Center (NW3C) and the Federal Bureau of Investigation (FBI). IC3’s mission is to address crime committed over the Internet. For victims of Internet crime, IC3 provides a convenient and easy way to alert authorities of a suspected violation. For law enforcement and regulatory agencies, IC3 offers a central repository for complaints related to Internet crime, uses the information to quantify patterns, and provides timely statistical data of current trends.
http://www.ic3.gov

National Center on Elder Abuse (NCEA): The Center performs elder abuse clearinghouse functions, develops and disseminates information, provides training and technical assistance, and conducts research and demonstration projects. Their site provides elder abuse statistics, outcomes of incidence studies and publications.
http://www.elderabusecenter.org

National Clearinghouse on Abuse in Later Life (NCALL): The clearinghouse develops programs and training focused on the intersection of domestic violence, sexual assault, and elder abuse/neglect. Site contains resources, links, and a store to purchase publications and training materials or rent videos.
http://www.ncall.us

National Committee for the Prevention of Elder Abuse: The Committee is one of six partners that make up the National Center on Elder Abuse, which is funded by Congress to serve as the nation's clearinghouse on information and materials on abuse and neglect.
http://www.preventelderabuse.org/

National Sexual Violence Resource Center (NSVRC): The National Sexual Violence Resource Center serves as a central clearinghouse for resources and information on sexual assault. They provide information, help and support and work to influence public awareness, policy, practice and new research.
http://www.nsvrc.org
**Santa Clara County Superior Court Website:** Provides information on how to access court services, and procedures, find forms, and links to other important resources.
http://www.courtinfo.ca.gov/selfhelp/

**Scams and Fraud-AARP:** Provides information about Consumer Protection & Rights, Identity Theft, Credit Card Fraud, and Internet & Email Scams.
http://www.aarp.org/money/scams-fraud/

**Senior Adults Legal Assistance:** Provides free legal services and community education to Santa Clara County residents who are age 60 or older.
http://www.sala.org

**Sourcewise: Community Resource Solutions of Santa Clara (formerly “Council on Aging, Silicon Valley”):** Provides services and support to seniors in Santa Clara County. Sourcewise aims to support seniors and caregivers, persons with disabilities and all adults in Santa Clara County and to inform, educate, and prepare them to better navigate their health and life options.
http://www.mysourcewise.com

**United States Administration on Aging (AOA):**
Representative of its weight within the aging network, this site contains the largest collection of on-line aging resources
http://www.aoa.gov
APPENDIX G: FAST MEETING PRESENTATION FORMAT

The format used for presentation at FAST meeting is attached.
FAST Meeting Presentation Format

Meeting Date: ___________________ APS SW: ___________________
DPG: ___________________ EA: ___________________

Directions: This format should be used as a guide for an oral presentation, or to write notes on. It will not be shared with anyone else.

PART I: PRESENTED BY APS SOCIAL WORKER

1. Basic Information

Name of Client: ___________________ Language(s): ___________________

Name of Suspected Abuser(s): ___________________ Language(s): ___________________

Visits/Communications with Client (list team members present, if applicable):

Law enforcement/DA involvement in case (if any):

Prior APS referrals (if any):

2. Has a Mini-Mental State Exam (MMSE) been performed?

☐ No
☐ If Yes, describe status and state score.

3. Has a Medical Capacity Declaration form (GC-335) been obtained?

☐ If No, state the status.

☐ If Yes, describe. List name of doctor, date, conclusion, etc.

4. Medical History: Does the client have any medical issues? Diagnoses?

☐ No
☐ If Yes, explain (list diagnosis, treating physician, effects on client’s capacity)

Does the client have medical insurance?
5. **Relationship between the Alleged Abuser and Client:** Explain how the client knows the suspected abuser.

6. **Summary of suspected abuse:** State the details of abuse (physical, psychological, financial, etc.)

7. **Living Situation:** State the conditions of the residence. Who lives there? Does the client have adequate food, shelter, and clothing?

   a) If there are tenants, do they pay rent?

8. **Caregiver, Family, and Friends:**

   a) Is there a caregiver? (State name, contact information, relationship)

   b) Does the client have a spouse? (State name, contact information)

   c) Does the client have family, friends, or others concerned for the client’s well-being? (State all relevant names, relationships, and contact information, if available)

9. **Community Contacts:** *Where* does the client engage in activities? *Who* is a contact there? Check all that apply and provide as much information as possible.

   - [ ] Religious Institution
   - [ ] Community Groups
   - [ ] Senior Center
   - [ ] Other
PART II: PRESENTED BY DEPUTY PUBLIC GUARDIAN

Additional Visits/Communications with Client:

10. **Client’s Cash Flow**: Does the client report any...

   a) **Income** (State specific sources of income, e.g., “SSI,” or name & relationship of relative)

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<tr>
<th>Source</th>
<th>Amount</th>
<th>Frequency</th>
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</table>

   b) **Expenses** (State rent, bills, private insurance, mortgage, dependents, etc.)

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<thead>
<tr>
<th>Expense</th>
<th>Amount</th>
<th>Frequency</th>
</tr>
</thead>
</table>

   c) **Other Sources of Cash** (State any other sources of cash for client not already listed, e.g., home equity loan, etc.)

   d) **Loans/Gifts Made by Client**: Has the client made any loans/given any gifts? If so to whom? How much? Were loans oral/written?
e) Recent Changes in Cash Flow? (Have any recent loans, gifts, loss of income, etc. affected cash flow situation described here?)

11. Accounts and Credit/ATM Cards

a) Does the Client have any bank accounts? Describe accounts, approximate value, named account holders (if joint accounts).

b) Does the client have ATM/credit cards? If yes, who controls their ATM /credit cards? State name, contact information, and how long the person has controlled the card.

12. How are the Client's finances managed? (e.g., payment of bills, balancing checkbook, etc.) Check all that apply. State name and contact information.

- [ ] Self-managed
- [ ] Accountant
- [ ] Caretaker
- [ ] Friend
- [ ] Family member
- [ ] Other

13. Accountant or Tax Preparer: Who helps the client with the preparation of annual tax forms and other financial documents? State name and contact information.
PART III: PRESENTED BY ESTATE ADMINISTRATOR

Additional Visits/Communications with Client:

14. Client’s Finances and Estate:

   a) Verification of Income and Expenses (have income/expenses been verified, e.g., pay stubs and bills seen or collected? Is there financial information not yet discussed?)

   b) Assets (State value of all assets – e.g., real property)

15. Durable Power of Attorney:

   a) Is there a power of attorney? (other than healthcare)

      □ No
      □ If Yes, where is it? Who has verified?

      Who is the named agent? Contact information?

      When was the document executed?

      What authority was granted?

      Validity: Who prepared it? Did the client grant the power of attorney of their own free will? How long was the client given to contemplate whether to execute the document?

      Did the client have previous durable powers of attorney?
b) Is there a power of attorney for healthcare/advance directive?

- No
- If Yes, where is it? Who has verified?

Who is the named agent? Contact information?

16. Private Attorneys and Notaries: Have any private attorneys/notaries helped the client?

- No
- Yes, if so state attorney/notary name, firm, contact information, what matters handled, any affiliation with the suspected abuser.

17. Estate Documents: Wills, Trusts:

Is there a will?

- No
- If Yes, where is it? Who has verified?

Who are the client’s intended beneficiaries?

When was the will created?

Are there any inconsistencies from past wills?

Name of the attorney who prepared the will?
Is there a trust?

☐ No
☐ Yes, where is it? Who has verified?

Who are the trustees? Successor trustees?

Who are the beneficiaries of the trust?

When was the trust created?

Are there any inconsistencies from past or present trusts?

State the name of the attorney who prepared the trust?

18. Santa Clara Co. Assessor’s Office: Delinquent Property Taxes: Is either the client or the suspected abuser behind on his or her property tax? (Information can be accessed online at: http://payments.scctax.org/payment/jsp/startup.jsp, use the links for view secured taxes & view historical secured tax payments)

☐ No
☐ Yes, if so explain.

19. Recorder’s Office: (http://www.clerkrecordersearch.org/, check Official documents for the first 3 questions, and type name in Grantor/Grantee box) (PARIS database is 1981 to present, for documents before 1981 check Digital Reel) (Documents can be picked up at the Clerk Recorder’s Office)

Are there any...
Recordation of any estate documents? (e.g., will, trust, etc.)

☐ No
☐ Yes, if so describe.
Transfers of title?

☐ No
☐ Yes, if so describe.

Recent recorded judgments against the suspected abuser and suspected client?

☐ No
☐ Yes, if so describe.

Liens?

☐ No
☐ Yes, if so describe.

Abstracts, deeds of trust, loans?

☐ No
☐ Yes, if so describe.

Death of spouse or death of joint tenant? (Check Vital Documents section)

☐ No
☐ Yes, if so explain.

20. Santa Clara County Superior Court Records: Civil, Family, Criminal: Are there any recent lawsuits or court actions involving the alleged client or alleged abuser, including divorces? (Civil & Family cases can be checked at: http://www.sccaseinfo.org/civil.htm) (Criminal cases can be checked at http://www.sccsupiorcourt.org/criminal/case_search.asp if a case comes up from the client or suspected abuser’s name, the case # can be taken to the courthouse to obtain the record)

☐ No
☐ Yes, if so explain.
21. U.S. Bankruptcy Court, Northern District: Bankruptcy Filings: Has either the alleged client or the alleged suspect recently filed for bankruptcy?

☐ No
☐ Yes, if so explain.

PART IV: PRESENTED BY COUNTY COUNSEL

22. Has there been any activity by County Counsel so far? If so explain.

23. What are the next steps? (e.g., conservatorship, criminal prosecution, referrals to services)
   Open for discussion with whole team.