

Chair _____,

My name is Charlie White and I'm here with my husband, David Gillis, to testify in support of Senate Bill 95.

Our elderly aunt signed a Revocable Living Trust with her nephew as successor trustee and gave him Power of Attorney in early 2014. She never transferred her assets into that trust.

At the end of that year, 2014, our aunt called us and gave us her car because the doctor told her not to drive. It was at this point that she began having trouble with her nephew -- the newly appointed successor trustee.

When he learned she had given us her car, he promptly took her to the hospital for some leg issues and some slight memory loss after a long cruise. The nephew was able to get a dementia diagnosis after a single visit and with only his information provided to the doctor.

Once he had the diagnosis in hand, per the trust, he was able to reroute all her mail to his address, took away access to all her bank accounts and statements, and cancelled two checks she wrote to an attorney for representation. Soon thereafter per only his testimony, her nephew was able to portray her as depressed, even suicidal, and convinced her doctor that she needed psych medications -- two different kinds on two different occasions. First Zoloft, then months later, Risperdal, were prescribed without her knowledge. She said they made her feel 'funny' so she soon refused to take ANY of the prescribed medications, compromising her health.

The nephew's depiction of her 'new tendencies' required that her pharmaceuticals be administered by the retirement home nursing staff which were now entering her apartment twice each day, thereby invading her privacy.

At the time, our aunt was 90 years old, never married and accumulated a sizable estate. Fortunately for her, she has a long history with an ethical financial advisor who is a long time friend of the family. When pressed by

the new trustee, he was concerned that she had never transferred her investments to the trust, so put a hold on them.

Through our extensive and costly litigation to get her nephew removed from the trust and out of our aunt's life, we are now happy to say she has an independent and reliable trustee and our sister is her Guardian.

Through the deposition process we found that her nephew was in the process of attempting to move her assets out of state into accounts of his choosing.

No one in the family knew all this was going on and would have believed the story as told by the nephew had she not called us for help in early 2015. Because of our involvement in witnessing her distress, and learning some history of our cousin after a bit of sleuthing on our parts, we were able to show family members the truth of the situation. Had she not called us when she did, he would have gotten away with it!!

Now, after over two very traumatizing years for our aunt, she has good health, still slight memory decline, is able to take her own pills (our sister set up a pill minder), has her privacy and her mail restored, her accounts are safe and has resumed her previous, private, happy regimen.

Our aunt was more fortunate than some. Because we believe something has to be done to protect our vulnerable elders, we think Senate Bill 95 is a good start.