

## Being prepared helped me when I needed it most.

Joan is an elderly widower who has been living alone for many years. She has three adult children who all live separate lives and as a result do not get along together or unfortunately keep in contact with Joan.

After the death of her husband, Joan updated her Will and had an Enduring Power of Attorney (Financial) made to help plan and secure her financial needs. Due to the conflict within her family, Joan appointed State Trustees, an independent company, as her attorney.

Joan's health dramatically declined and she was admitted to hospital. After being assessed it was decided that Joan couldn't return home especially as she lived alone and needed to move into a low level care facility. Knowing the amount of work involved in relocating, Joan's case manager contacted State Trustees to see if we could assist Joan under her Enduring Power of Attorney (Financial).

As Joan's Attorney, State Trustees was able to secure her home and protect her assets. State Trustees noticed that money had been disappearing from Joan's bank accounts and were able to secure her accounts to help ensure this didn't happen again. State Trustees developed a financial plan to help manage Joan's current finances and help secure her future needs.

Once Joan chose her new residence, State Trustees negotiated an accommodation bond with the residence. In order to pay the bond, State Trustees liaised with the real estate agent on Joan's behalf in order to sell her home. Joan was also faced with added stress as she couldn't take her pet dog with her to her new residence. State Trustees were able to arrange for her regular dog walker to give it a permanent home giving Joan added peace of mind that her beloved dog would be well cared for.

"I was faced with a very daunting and stressful situation" said Joan. "State Trustees was able to step in and help me because I was prepared beforehand with all my documents. If I wasn't, I could have lost all of my money. Now I am financially secure, and can look forward to a happier future" Joan added.



You can also view Community Wellbeing online at [www.statetrustees.com.au](http://www.statetrustees.com.au)

## Attorneyship Services team – 'Out and About'

### CMSA Conference – June 2009

The 12th National Case Managers Society of Australia conference was held on 18th and 19th June 2009 at the Sofitel in Melbourne. State Trustees are proud to have an ongoing sponsorship with this conference.

Shane Ellis, Business Development Manager for Attorneyship Services was on the agenda to present 'How State Trustees can provide solutions to Case Managers with clients who require support or protection of their financial affairs.' The presentation was very well received – thank you to all who attended.

**Congratulations to Brad Cooper who was the lucky winner of our prize draw held at our stand during the conference.**

**Top right:** Shane Ellis, Business Development Manager and Dougal Gillman, Business Development Coordinator for Attorneyship Services, 'smile for the camera' at the State Trustees stand.

**Bottom right:** Theo Apostolopoulos, Business Development Manager at State Trustees presents the prize draw to Bradley Cooper, Program Manager Eastern Metropolitan Community Packages, Bapcare.



### connected09 – August 2009

Attorneyship Services held their networking event for 2009 in conjunction with the State Trustees' connected09 art exhibition, held at the Arts Centre. connected09 is an art exhibition, now in its seventh year open to Victorians with a disability or an experience of mental illness.

The night was a great success and very entertaining. Thank you to all who attended, especially on such a cold winter's night. We look forward to holding another opportunity next year, so stay tuned for further details.

### State Trustees is turning 70!

State Trustees marks our 70th birthday this year – being 70 years since the creation of the Public Trust Office of Victoria (which later became the State Trust Corporation of Victoria and then State Trustees).

To commemorate this important milestone, we have created a video that celebrates the role of State Trustees in the social history of Victoria and our advocacy for social inclusion.

**If you would like to view the video, please contact one of the Attorneyship Services team on (03) 9667 6165.**



## Financial Elder Abuse Research: a clearer picture for Victoria

Sadly each year, State Trustees discovers instances where older people have been taken advantage of financially by those they trust most, and unfortunately, we are often asked to step in as a last resort, after much of the damage has already been done.

According to State Trustees' Managing Director, Tony Fitzgerald, financial elder abuse can range from misusing an ATM or credit card to taking money or property, forcing or forging an older person's signature or persuading them to change their Will, contracts or power of attorney through deception or undue influence.

"Clearly, financial elder abuse is complex and we have engaged Monash University to undertake research that will shed light on this important social issue," Mr Fitzgerald said.

Entitled 'Protecting Elders Assets Study: Ethical Management of Older Persons' Financial Assets', the project has delivered its first report and findings will be delivered over the next three years.

The first report provides a summary of existing Australian and international research and the next stages of the study aim to build on this existing knowledge.

"We understand that this is the most comprehensive study currently underway in Victoria and it's already proving to be of great interest to the government, community and legal sectors," Mr Fitzgerald said.

Mr Fitzgerald believes that the research may be a useful contribution to the Victorian Government's elder abuse prevention strategy, adding that Seniors Rights Victoria and the Office of Senior Victorians have provided invaluable assistance to the project.

"Our hope is that the outcomes of the project will lay the foundation for future initiatives, including policy and legislative reform, and improvement to services," Mr Fitzgerald explained.

"State Trustees is pleased to commit our resources to this research project, something we see as essential if we are to understand the best ways to reduce, prevent and remedy the growing problem of financial elder abuse."

Older Victorians and those that work with them should be aware of the risks and State Trustees offers the following tips:

### Appoint an Enduring Power of Attorney (Financial) –

An Enduring Power of Attorney (EPA) (financial) is a legal document that can be used to help protect your financial and legal affairs. As your Attorney, a friend, relative or professional organisation should work with you to make decisions on your behalf to help maintain your quality of life and help protect your future.

### Get independent advice –

Before making major decisions older people should seek independent financial and legal advice from organisations or those with expertise in helping older people.

### Keep your Will in order –

Older people should make sure they have a professionally drafted legal Will and continue to update their Wills at major life changes such as marriages and re-marriages, divorces and the birth of grandchildren.

### Make loans legally binding –

Have a solicitor draw up a legally binding contract if you plan on lending money to someone.



# Working with you to support your clients with their finances

Client requires assistance with their financial affairs

YES

Does the client have capacity?

NO

Does the client have an existing Enduring Power of Attorney (EPA) [Financial] with State Trustees as Attorney?

YES

NO

**Contact: Attorneyship Services Team  
9667 6165**

- 1 To arrange a confidential visit for the client to discuss their needs.
- 2 To enable the client to sign a new EPA [Financial] or activate an existing EPA.
- 3 If State Trustees is appointed Attorney, to discuss the procedure and take instructions from the client regarding the management of their financial affairs.

**Contact: Client Relations Team  
9667 6450**

- 1 You can apply to Victorian Civil and Administrative Tribunal (VCAT) for Administration and/or Guardianship.
- 2 VCAT will schedule a hearing.
- 3 Where State Trustees is appointed we will administer the client's finances as per the Administration Order made by VCAT.

**In the event that a client passes away,  
Contact: Executor Services Team 9667 6319**

- 1 To arrange a visit with the client's family to discuss possible assistance with estate administration.
- 2 To help the client's family with funeral arrangements.
- 3 To ensure the client's belongings and personal effects are collected promptly.

## Did you know that State Trustees:

- Is owned by the Victorian Government
- Writes more Wills than any other organisation in Victoria
- Administers approximately 1,500 deceased estates per year
- Located 2,500 beneficiaries in 2007-2008
- Protects the legal and financial interests of almost 9,000 Victorians unable to do so on their own

Disclaimer: The information in Community Wellbeing was believed to be accurate at the time of publishing. However, no responsibility is accepted by State Trustees Limited for any loss suffered or alleged to have been suffered by any person or corporation taking actions or refraining from taking action based on the contents herein. Decisions should only be made after consultation with State Trustees Limited. If you do not wish to receive this publication, please advise State Trustees.

All case studies in this newsletter are fictional and are intended for illustrative purposes only. Any similarity in a person's name to the scenario described in the case study is unintended and coincidental.

**Attorneyship Services Team 9667 6165**

**Melbourne City** 168 Exhibition Street, Melbourne VIC 3000

**Glen Waverley** Suite 22, Level 2, 40 Montclair Avenue, Glen Waverley VIC 3150

**Mornington** Unit 3-4, 307 Main Street, Mornington VIC 3931

ABN 68 064 593 148

**STATE TRUSTEES**