



Disability and Guardianship Project

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December 30, 2020

Honorable Fiona Ma
Treasurer
State of California

Re: Disappointment with the focus of the upcoming Town Hall

Dear Madam Treasurer:

As you know, the idea for a public hearing on financial and other abuses of seniors and people with disabilities came from our group of grass roots advocates. The focus of our concerns has been the practices of judges, attorneys, and professional fiduciaries in the context of probate conservatorship proceedings.

We have been communicating with you and your staff through our colleague Phyllis Kalbach. We had many meetings among ourselves to prepare a list of people to testify at a hearing, now more aptly called a town hall meeting. Our agenda included victims and their families, advocates who have been pushing for reforms, and professionals who have studied the conservatorship system and would offer specific legislative and regulatory reforms to address these problems.

Now we have been informed that the Town Hall that you are sponsoring, and with which the Assembly Committee on Aging and Long Term Care is involved, will not focus on conservatorships at all. We have been informed that those who are planning the forum do not want to hear any testimony about courts or attorneys. Phyllis has been advised that our network of advocates can choose one witness who will have seven minutes to speak – so long as that person does not mention problems in the probate courts. We began this endeavor expecting to have as much as two hours for our speakers. That was quickly reduced to “about ten minutes,” now one recorded seven minute single speaker.

Our advocacy network is focused on problems in the probate courts and how to ensure access to justice for seniors and people with disabilities in conservatorship proceedings. It is bad enough that our list of 10 witnesses was narrowed down to one, but to be told that he or she may not address systemic problems in the probate court is more than disappointing. It is insulting.

We will not be supporting your Town Hall. Our agenda of issues and concerns has been cleverly hijacked.

When Phyllis first started communicating with your staff, we were all excited. We thought we had found an elected official who would use the prestige of her office to place a spotlight on a long-neglected problem: elder financial exploitation by way of systemic violations of the rights of seniors and people with disabilities in conservatorship proceedings. That excitement is gone.

We implore you, and the Assembly committee members and staff with whom you are working, to hold a separate forum in the future about the issues we have brought to your attention. A hearing on financial and personal rights abuses in probate conservatorship proceedings is long overdue.

If and when you, and they, decide that the concerns of constituents matter, please get back in touch with us. Right now, it feels like our issues are not of concern to you. Perhaps when you give this more thought, you will decide that a second forum – one focused on conservatorship abuses – is something you should do. We hope so.

A meeting with you and members of our group would be welcomed. Please have someone contact me to schedule such a meeting.

Respectfully,



Thomas F. Coleman
on behalf of Spectrum Institute
and . . .

Venus Gist
Alameda County Coalition
Care4People -Court-

Rick Black
Center for Estate Administration
Reform (CEAR)

Kerri Kasem
Kasem Cares Foundation

Lisa MacCarley
Bettys' Hope
Elder Law and Probate Attorney

Phyllis Kalbach
Conservatorship Elder Abuse
Public Hearing Coordinator