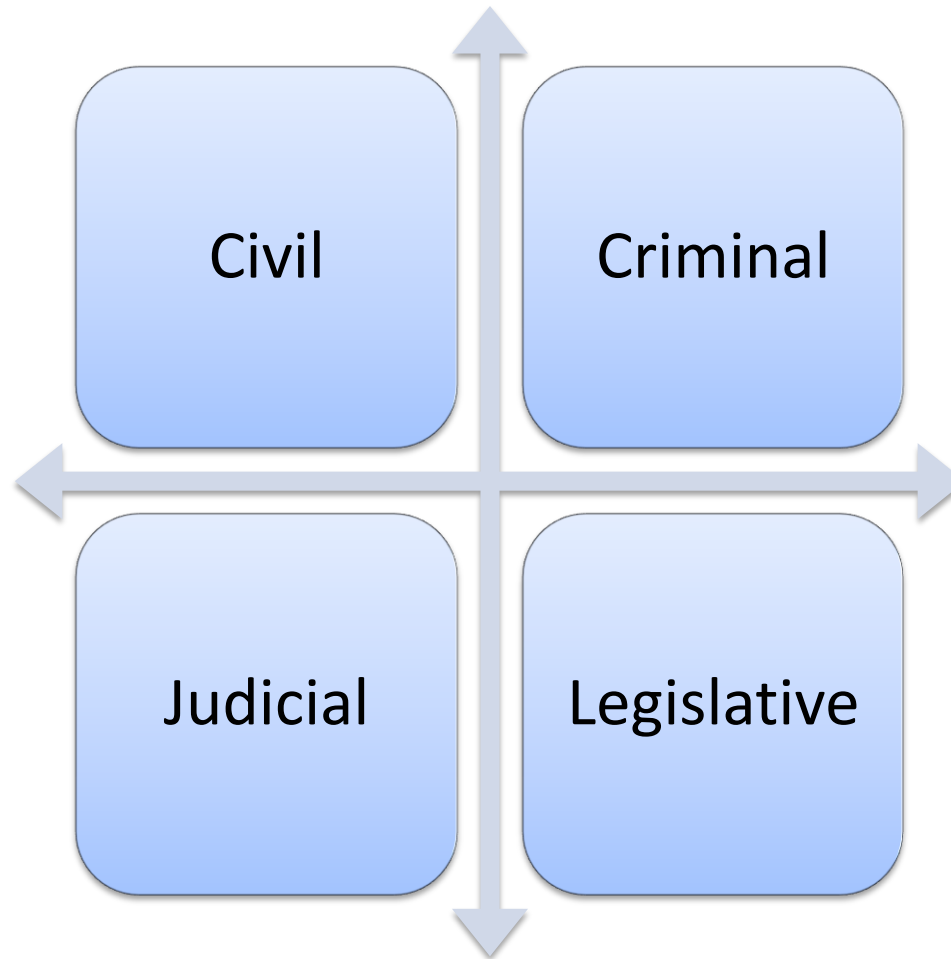


# Elder Abuse and Its Prevention: Legal System Interventions in the U.S.

Lori A. Stiegel, J.D.  
American Bar Association  
Commission on Law and Aging  
Washington, DC

# Legal System Components



# Civil

## **Public Services Lawyers**

- Legal Aid/Legal Services
- Law School Clinics
- Pro Bono
- Others

## **Private Lawyers**

- Elder Law
- Probate and Trust
- Family Law
- General Practice
- Others

# Criminal – Local/State/Federal

- Law Enforcement
- Prosecutors
  - Region/State
  - Attorneys General
  - Medicaid Fraud Control
- Corrections
- Community Corrections
  - Pretrial
  - Probation
  - Parole
- Victim Services
  - System-based
  - Community-based
- Victim Compensation

# Judicial

## State

- Trial Courts
  - Civil
    - Probate
  - Criminal
  - Specialized
    - Elder
    - Domestic Violence/Family
    - Drug
    - Housing
- Appellate Courts

## Federal

- Trial Courts
- Appellate Courts

# Prevent/Detect/Remedy

- Civil
  - Screening
  - Counseling
  - Preparing or Revoking Documents
  - Litigating
    - Protect Victim or Assets
    - Recover Assets or Obtain Damages

# Prevent/Detect/Remedy

- Criminal
  - Policing
  - Punishment
  - Restitution
  - Supervision

# Criminal - Initiatives

- Resources
  - Training
  - Tools
- Services
  - Special Law Enforcement or Prosecution Units
  - Participating in MDTs
- Remedies
  - Criminalizing activity
  - Tougher penalties



# Judicial - Initiatives

- Resources
  - Guidelines/Standards
  - Training
  - Tools
- Services
  - Domestic/Family Violence Coordinating Councils
  - Court-Focused Elder Abuse Initiatives

# Civil - Initiatives

- Resources
  - Training
- Services
  - Prioritizing and developing expertise
  - Screening
  - Representing
  - Participating in MDTs
- Remedies
  - Legislative advocacy

# Gaps

- Technical Assistance
- Capacity Assessment
- Affordable, High Quality Legal Services
- Information Sharing
- Remedies
- Data
- Evaluation