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January 31, 2002

Honorable Chief Justice Ronald George
and Associate Justices
300 South Spring Street
2nd Floor North
Los Angeles, CA 90013

Re: Conservatorship of Levitt
2nd Civil Nos. B140538, B142397
Supreme Court No. S 102 726

Dear Chief Justice George and Associate Justices:

I write to respectfully request the Court grant review in the case of *Conservatorship of Levitt* to resolve several crucial issues concerning (1) access of elder abuse victims to the judicial system and (2) freedom of speech for advocates for the elderly.

I have worked with the elderly, and in the field of elder abuse for many years, in both the public and private sectors. I have seen the faces and held the hands of men and women, sometimes referred to now as The Greatest Generation, who have had their life's saving stolen, and who then discover there is nothing they can do about it, in either the civil or criminal courts. I also know first-hand how weak are their protections within the system that is supposed to help them. A decision by this Court on the issues raised in *Levitt* will provide needed guidance in addressing the problems of a group of people whom the legislature determined to be a disadvantaged class, and whom they sought to protect through legislation such as EADACPA.

I am currently CEO of Aging Solutions, Inc. a small business based in Temecula. We provide services to families and trusts, acting as advocates for the elderly, disabled persons and other dependent adults.

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Aging Solutions

In 1988, I served as Director of the Health Insurance Counseling and Advocacy Program (HICAP) for the counties of Riverside, San Bernardino, Inyo and Mono. In 1991 I assumed the position of Social Services Supervisor for the Riverside County Office on Aging, overseeing Long Term Care Case Management Services for the frail elderly. Additionally, I supervised the Information and Referral services for the department which served 35,000 seniors per year.

In 1996 I became the Elder Abuse Educator and Advocate for the department and in 1997 helped create an award-winning elder abuse program referred to as the CARE (Curtailling Abuse Related to the Elderly) Team. The CARE team was designed to expedite elder abuse cases and bring them through to prosecution on a fast track. Originally started with a small local grant, the CARE Team has now been fully funded throughout Riverside County within the Department of Public Social Services. To date, it has recovered over \$8 million in property and assets on behalf of victims of elder abuse.

In my experience, such innovative programs are the exception, not the rule. In most California counties, the elderly who have been defrauded out of their life savings have virtually nowhere to turn. Local prosecutors are rarely interested in taking up the case because the law is arcane and difficult, and such cases rarely attract media attention. Local low-income legal services share this lack of expertise and time.

If the local DA won't go to bat for the elderly, then who will? Many private attorneys will, but they can only do so if they are compensated fairly. To expect that they should do so for fees less than are reasonable for the amount of work involved, is in effect, to discriminate against the elderly a second time.

The issues in *Levitt* are critical to helping reduce a heinous pattern of exploitation that is far more pervasive in California than anybody realizes. I urge the Court not to hesitate in taking up and resolving these troublesome issues.

Respectfully yours,

Terri L. Abelar
Chief Executive Officer

cc : Marc B. Hankin

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