By Sheri C. Gibson and Sara Honn Qualls

A Family Systems Perspective of Elder Financial Abuse

The complex web of family relationships and dependencies sometimes enables elder financial abuse—whether wittingly or not.

Elder financial abuse is the fastest growing form of elder exploitation (Schneiderman, 2000). Incidences of this type of abuse by family members are increasingly visible, as illustrated by the case of wealthy philanthropist Brooke Astor, whose 85-year-old son was imprisoned for grand larceny (Peltz, 2009). Unlike other forms of abuse, elder financial abuse is largely private, occurring often in the context of close relationships (Hafemeister, 2003; Rabiner, Brown, and O'Keeffe, 2006). Indeed, 55 percent of all this abuse occurs within families (MetLife Mature Market Institute et al., 2009), representing a 5.2 percent, one-year incidence rate among older adults (Acierno et al., 2010).

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Elder victims are typically white, widowed females who are ages 70 to 89 years (National Center on Elder Abuse [NCEA], 1998). Other risk factors include cognitive impairment, social and geographical isolation (Hafemeister, 2003; National Committee for the Prevention of Elder Abuse [NCPEA], 2001; Sklar, 2000), an increased need for assistance with daily activities (Choi, Kulick, and Mayer, 1999), and recent life changes such as widowhood or divorce (Choi and Mayer, 2000; Quinn, 2000).

Difficulties with Detection and Prosecution

Financial abuse is difficult to detect and prosecute because of the many gray areas that exist when defining elder financial abuse. Financial abuse, or exploitation, is defined as ". . . the illegal or improper use of an elder's funds, property, or assets" (NCPEA, 2001). It involves theft or fraudulent use of an older adult's money or material belongings and the use of *undue influence* to relinquish or gain legal authority over assets. The pivotal legal concept is undue influence, which involves misusing one's role and power to exploit the trust of another. Undue influence is typically accomplished by employing subtle pressures to deceptively gain control over a weaker person's decision making (Brandl et al., 2007; Nerenberg, 2000; Quinn, 2000).

Families are a ripe context for financial abuse given the unique array of obligatory norms in caring for each other (Bengston and Roberts, 1991). Vulnerable family members receive care from others as an inherent part of family life, but there are ethical dilemmas in caregiving dynamics that add risk for elder financial abuse. *Relational ethics* refers to the creation and preservation of reciprocity and "fairness" among family members seeking relationship equilibrium (Boszormenyi-Nagi and Ulrich, 1981). *Entitlement* embodies the idea that family members are "due" by merits earned within the family system. Within families, undue influence might entail blackmail strategies, such as threats of violence or suicide, to pilfer money, or begging for limited assistance with bill-paying and shopping needs that can lead over time to full financial power-of-attorney privileges (Vezina and Ducharme, 1992). Other examples of elder financial abuse are spending the older person's money, making poor financial decisions, withholding copies of documents, and forging or forcing signatures. The elder may eventually become aware of the abuse, but often refrains from informing other family members in order to protect the exploitative person, or for fear of losing daily living support. The process generally does not end until the older adult dies or all assets are depleted (MacDonald, 2003).

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The exploitative person may be an offspring, a new spouse, or fictive kin who is described as psychologically dysfunctional or underdeveloped, having low self-esteem (Hafemeister, 2003), and experiencing problems with substance abuse or psychopathology (Hwalek et al., 1996). This person may lack psychological or financial self-sufficiency that increases dependence on the elder (NCPEA, 2001). Finally, the exploitative person might rationalize the elder's support (e.g., "I help out to make his/her life easier—he/she is simply reciprocating") or be motivated by feelings of entitlement (e.g., "I had a rough childhood—now it's time for him/her to make it up to me").

A systems perspective suggests that all members of a family experiencing elder financial abuse affect the help-seeking or intervention process, as either involved or unaware participants, or as observers. Siblings may view the perpetrator as both dependent and exploitative, attributing the exploitation to personality, character, or pathology (e.g., "brother/sister needs more help than we do" or "brother/sister had the same opportunities as the rest of us"), while feeling jealous, protective, or guilty. Long-standing dynamics shape attributions and responses.

Considerations and Interventions

The first step prior to intervention is the recognition that elder financial abuse has occurred, a step met with a host of complications and intense feelings, particularly between the elder and the exploitative person. The elder may hesitate to report abuse for fear of retaliation, loss of independence, feelings of self-blame, and increased dependency on the abuser (Hafemeister, 2003; Rabiner, Brown, and O'Keeffe 2006). Furthermore, the elder may feel sympathetic and protective of the exploitative person—especially when a rescue pattern exists, or a history of alcohol and drug problems or mental illness (Capezuti, Brush, and Lawson, 1997). Professionals and professional organizations such as attorneys, physicians, financial institutions, therapists, case managers (i.e., healthcare, social services, residential), or Adult Protective Services (APS) may be the first to recognize elder financial abuse.

The next step is to determine whether the elder victim's cognitive functioning is in question. When cognition is intact, professionals work toward empowering the individual to unhook from victim behavior. Other interventions such as psycho-education, psychotherapy, or skills training can help the elder identify ambivalence related to the codependent nature of the relationship and aid in implementing safety and survival strategies. Family therapists and mediators can educate elders and their families and assist in identifying family dynamics, legal options, and community resources.

When the elder suffers from cognitive impairment or the sum of money involved is large, legal action must occur. APS may be involved in investigation as well as in shifting financial responsibility to a third party (Miller, 2006). In situations where criminal activity is suspected, local police authorities should be contacted to begin an investigation.

Aging Services Professionals Should Help Identify and Intervene

Given the complexity of the family system and the multiple avenues for intervention in elder financial abuse, professionals are in a unique position to identify, assess, and help guide families toward resolution. Gathering data related to the underlying barriers such as recognition, reporting, cognitive impairment, undue influence, and financial control can be a first step to preserving family unity and providing members with a variety of options. Systemic interventions can be applied to families experiencing elder financial abuse, an area in which scholarly work is needed.

When an older person's cognition is intact, professionals can help him or her 'unhook' from victim behavior.

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References

Acierno, R., et al. 2010. "Prevalence and Correlates of Emotional, Physical, Sexual, and Financial Abuse and Potential Neglect in the United States: The National Elder Mistreatment Study." *American Journal of Public Health* 100(2): 292–7.

Bengston, V. L., and Roberts, R. E. L. 1991. "Intergenerational Solidarity in Aging Families: An Example of Formal Theory Construction." *Journal of Marriage and Family* 53(4): 856–70.

Boszormenyi-Nagi, I., and Ulrich, D. 1981. "Contextual Family Therapy." In Gurman, A., and Kniskern, D., eds. *Handbook of Family Therapy*. New York: Brunner/Mazel.

Brandl, B., et al. 2007. *Elder Abuse Detection and Intervention: A Collaborative Approach*. New York: Springer.

Capezuti, E., Brush, B. L., and Lawson, W. T. 1997. "Reporting Elder Mistreatment." *Journal of Gerontological Nursing* 23(7): 24–32.

Choi, N. G., and Mayer, J. 2000. "Elder Abuse, Neglect, and Exploitation: Risk factors and Prevention Strategies." *Journal of Gerontological Social Work* 33(2): 5–25.

Choi, N. G., Kulick, D. B., and Mayer, J. 1999. "Financial Exploitation of Elders: Analysis of Risk Factors Based on County Adult Protective Services Data." *Journal of Elder Abuse & Neglect* 10(3-4): 39–62.

Hafemeister, T. L. 2003. “Financial Abuse of the Elderly in Domestic Situations.” In Bonnie, R. J., and Wallace, R. B., eds. *Elder Mistreatment: Abuse, Neglect, and Exploitation in an Aging America*. Washington, DC: National Academies Press.

Hwalek, M. A., et al. 1996. “The Association of Elder Abuse and Substance Abuse in the Illinois Elder Abuse System.” *The Gerontologist* 36(5): 694–700.

MacDonald, K. 2003. “Weighing Your Options: Financial Abuse.” *Daily Telegraph*, September 23.

MetLife Mature Market Institute, National Committee for the Prevention of Elder Abuse, and the Center for Gerontology at Virginia Polytechnic Institute and State University. 2009. *Broken Trust: Elders, Family, and Finances*. Westport, CT: MetLife Mature Market Institute. www.metlife.com/assets/cao/mmi/publications/studies/mmi-study-broken-trust-elders-family-finances.pdf. Retrieved July 1, 2012.

Miller, T. 2006. “Care Pathway Model and Guidelines for Health Care Professionals.” In Summers, R. W., and Hoffman, A. M., eds. *Elder Abuse: A Public Health Perspective*. Baltimore, MD: United Book Press.

National Center on Elder Abuse (NCEA). 1998. *The National Elder Abuse Incidence Study*. *Final Report*. aoa.gov/AoA_Programs/Elder_Rights/Elder_Abuse/docs/ABuseReport_Full.pdf. Retrieved July 1, 2012.

National Committee for the Prevention of Elder Abuse (NCPEA). 2001. “Financial Abuse.” preventelderabuse.org/elderabuse/fin_abuse.html. Retrieved July 1, 2012.

Nerenberg, L. 2000. “Introduction.” *Journal of Elder Abuse & Neglect* 12(2): 1–4.

Peltz, J. 2009. “Advocates: NYC Astor Case a Win on Financial Abuse.” The Associated Press, October 17.

Quinn, M. J. 2000. “Undoing Undue Influence.” *Journal of Elder Abuse & Neglect* 12(2): 9–17.

Rabiner, D. J., Brown, D., and O’Keeffe J. O. 2006. “Financial Exploitation of Older Persons: Policy Issues and Recommendations for Addressing Them.” *Journal of Elder Abuse & Neglect* 16(1): 65–84.

Schneiderman. E. 2000. “Financial Abuse of Elderly Targeted: Bank Employees to Receive Training to Combat Exploitation.” Albany, NY: New York State Office of the Attorney General. ag.ny.gov/press-release/financial-abuse-elderly-targeted. Retrieved July 1, 2012.

Sklar, J. B. 2000. “Elder and Dependent Adult Fraud: A Sampler of Actual Cases to Profile the Offenders and the Crimes They Perpetrate.” *Journal of Elder Abuse & Neglect* 12(2): 19–32.

Vezina, M., and Ducharme, G. 1992. “The Sad Abuse of Seniors.” *Canadian Banker* 99(1): 58–62.