



Last Will and Embezzlement:
A Study Guide for Social Work Educators and Students

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Introduction

This guide has been developed to assist social work educators and students in using films from the CSWE film festivals in their classrooms. It is one in a series of CSWE curriculum resources designed to enhance the teaching and learning of social work concepts.

We welcome your comments as the library of these resources is refined and expanded.

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Overview: *Last Will and Embezzlement*

Film Information

Title: Last Will and Embezzlement Date: 2012	Producer: Starjack Entertainment
Running Time: 23 minutes	Distributor: Terra Nova Films, terranova.org

Context: Financial elder abuse is defined and exposed in this film using personal accounts. Experts and advocates also are interviewed to provide a rich education and foundation for discussion.

Themes:

1. Financial Vulnerability of the Elderly
2. Individual Rights vs. Cognitive Capacity
3. Aging Care
4. Policy Practice and Ethics
5. Social Research Methods

Time Code	Topic	Central Quote	Salient Themes
00:36–4:09	Elder Exploitation	“He was taking care of himself.”	Definition of the Problem, Exemplar of Abuse
4:11–10:24	Exploit Vulnerabilities	“They infuse themselves...”	Vulnerabilities, Dementia, Depression, Cognitive Impairment, Language Difficulties
10:25–12:50	Policy Adjustments	“Do we ... make people vulnerable and frail based simply on a benchmark of age?”	Policy, Retirement Age
12:51–15:29	Practice: Rights vs. Diminished Capacity	“In this country, we have the right to make bad decisions.”	Self-Determination, Cognitive Capacity, Undue Influence
15:30–18:40	Underreporting	“We don’t know...”	Embarrassment, Lack of Awareness, Fear of Losing Connectedness, Ageism

Topics

Elder Exploitation

Time Code: 00:36–4:09

Central Quote: “He was taking care of himself.”

Themes: Definition of the Problem, Exemplar of Abuse

Abstract: Actor Mickey Rooney offers his story and an impassioned case for increased legal protection for elders in America. Elder exploitation is defined with this story as well as information from experts. Both approaches serve as an introduction to the problem of financial abuse of the elderly.

Learning Objectives

1. Define financial elder abuse.
2. Explore the characteristic profile of the elder in America.
3. Consider that elders of all economic levels are at risk.

Discussion Questions

1. What factors have contributed to the increase in the elderly population?
2. Do you think that increases in the elder population warrant new legislative protections?
3. Identify multiple types of elder abuse. Do you think that some types are more prevalent than other types?

Suggested Readings

Acierno, R., Hernandez, M. A., Amstadter, A. B., Resnick, H. S., Steve, K., Muzzy, W., & Kilpatrick, D. G. (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*, 292–297.
doi: 10.2105/AJPH.2009.163089

Dong, X., & Simon, M. A. (2011). Enhancing national policy and programs to address elder abuse. *Journal of the American Medical Association, 305*, 2460–2461.
doi: 10.1001/jama.2011.835

Price, T., King, P. S., Dillard, R. L., & Bulot, J. J. (2011). Elder financial exploitation: Implications for future policy and research in elder mistreatment. *Western Journal of Emergency Medicine, 354–356*.

Exploit Vulnerabilities

Time Code: 4:11–10:24

Central Quote: “They infuse themselves...”

Themes: Vulnerabilities, Dementia, Depression, Cognitive Impairment, Language Difficulties

Abstract: Growing old exposes some vulnerabilities that may be exploited by less than genuine individuals. Many of these vulnerabilities are highlighted. A solid expression of the variability and assessment of dementia is presented.

Learning Objectives

1. List vulnerabilities that may be experienced by elders as they grow older.
2. Define dementia and identify some assessment challenges associated with dementia.
3. Outline how a person with sinister intent may “infuse” themselves into life of an elder.

Discussion Questions

1. What are the difficulties in assessing and protecting elders based on vulnerabilities? (i.e., difficulty in identifying cognitive impairment and framing the conversation that asks an elder to submit to additional help).
2. Identify vulnerability. Outline how a person with sinister intent may exploit this vulnerability to prey on an elder.
3. Brainstorm ways to distinguish an appropriate relationship between a younger person and an elder.
4. List ways, based on vulnerabilities, that elders and their assets may be protected.

Suggested Readings

Goodstein, R. K. (1981). Inextricable interaction: Social, psychologic, and biologic stresses facing the elderly. *American Journal of Orthopsychiatry*, *51*, 219–229.

Lehmann, S. W., Black, B. S., Shore, A., Kasper, J., & Rabins, P. V. (2010). Living alone with dementia: Lack of awareness adds to functional and cognitive vulnerabilities. *International Psychogeriatrics*, *22*, 778–784. doi: 10.1017/S1041610209991529

Lotfi, A., Langensiepen, C. L., Mahmoud, S. M., & Akhlaghinia, M. J. (2012). Smart homes for the elderly dementia sufferers: Identification and prediction of abnormal behaviour. *Journal of Ambient Intelligence and Humanized Computing*, *3*, 205–218. doi: 10.1007/s12652-010-0043-x

Policy Adjustments

Time Code: 10:25–12:50

Central Quote: “Do we ... make people vulnerable and frail based simply on a benchmark of age?”

Themes: Policy, Retirement Age

Abstract: A discussion of policy begins with a general overview of the history of retirement age in the United States. The challenges of elder protection are framed from a policy perspective. This section sets the stage for a discussion of policy options.

Learning Objectives

1. Trace the history of “retirement” and the “senior” designation in the United States.
2. Consider the social context in which the designations of retirement age were made in the United States.

Discussion Questions

1. What social realities support an increase in the retirement age?
2. What biological realities support a rethinking of retirement and the “senior” designation?
3. What legal protections can a family institute to ensure that family assets are protected?

Suggested Readings

Dorn, D., & Sousa-Poza, A. (2010). “Voluntary” and “involuntary” early retirement: An international analysis. *Applied Economics*, 42, 427–438.

Euwals, R., van Vuuren, D., & Wolthoff, R. (2010). Early retirement behaviour in the Netherlands: Evidence from a policy reform. *De Economist*, 158, 209–236.
doi: 10.1007/s10645-010-9139-0

Hairault, J.-O., Langot, F., & Sopraseuth, T. (2010). Distance to retirement and older workers’ employment: The case for delaying the retirement age. *Journal of the European Economic Association*, 8, 1034–1076.

Practice: Rights vs. Diminished Capacity

Time Code: 12:51–15:29

Central Quote: “In this country, we have the right to make bad decisions.”

Themes: Self-Determination, Cognitive Capacity, Undue Influence

Abstract: This section constrains the discussion of policy options by emphasizing elders’ rights. General self-determination is emphasized. Legal considerations of exploitation cases are discussed.

Learning Objectives

1. Identify the legal considerations involved in a determination of wrongdoing in exploitation of an elder.
2. Debate the pros and cons of the rights of elders as they age.
3. Compose policy to ensure the health and well-being of elders.

Discussion Questions

1. If you had to, what would you present as evidence of your cognitive capacity?
2. Pretend that you are a policy maker in a state legislature. Craft a policy that protects the elder from undue influence and includes language that protects the elder’s right to self-determination. What are the difficulties you encounter while attempting to honor self-determination and protect elders?
3. Share your draft policy with other classmates. Attempt to discover ways that the policy may be misused and fail on one of its provisions. Offer suggestions that may make the policy more solid.

Suggested Readings

Donovan, K., & Regehr, C. (2010). Elder abuse: Clinical, ethical, and legal considerations in social work practice. *Clinical Social Work Journal*, 38, 174–182. doi: 10.1007/s10615-010-0269-2

Doron, I., & Soden, A. M. (2012). *Beyond elder law: New directions in law and aging*. New York: Springer Science+Business Media.

Marson, D. C., & Sabatino, C. P. (2012). Financial capacity in an aging society. *Generations*, 36, 6–11.

Underreporting

Time Code: 15:30–18:40

Central Quote: “We don’t know...”

Themes: Embarrassment, Lack of Awareness, Fear of Losing Connectedness, Ageism

Abstract: This section ponders the reasons why experts consider instances of elder abuse to be underreported. It proposes some reasons and engages hypotheses.

Learning Objectives

1. List possible reasons why elder abuse may go unreported.
2. Brainstorm ways to assess the level of elder abuse in the United States.
3. Create an elder abuse awareness campaign utilizing social media.

Discussion Questions

1. With a group of peers, choose your best idea and work out a research plan for implementing your best idea. How would you maintain the data you collect?
2. Create an elder abuse awareness campaign. How could you encourage elders to report abuse without endangering themselves?
3. How would you monitor abuse of elders who have diminished cognitive capacity?

Suggested Readings

- Castle, N. (2012). Nurse aides’ reports of resident abuse in nursing homes. *Journal of Applied Gerontology, 31*, 402–422. doi: 10.1177/0733464810389174
- Clancy, M., McDaid, B., O’Neill, D., & O’Brien, J. G. (2011). National profiling of elder abuse referrals. *Age and Ageing, 40*, 346–352. doi:10.1093/ageing/afr023
- Yon, Y., Anderson, L., Lymburner, J., Marasigan, J., Savage, R., Campo, M., . . . Mandville-Anstey, S. A. (2010). Is ageism in university students associated with elder abuse? *Journal of Intergenerational Relationships, 8*, 386–402. doi: 10.1080/15350770.2010.520625