

# MANAGING SOMEONE ELSE'S MONEY

Help for court-appointed  
guardians & conservators in  
Alaska

# About the Bureau of Consumer Financial Protection

The Bureau of Consumer Financial Protection (the Bureau) regulates the offering and provision of consumer financial products and services under the Federal consumer financial laws, and educates and empowers consumers to make better informed financial decisions. Learn more at [consumerfinance.gov](http://consumerfinance.gov). **This guide is from a template the CFP provided.**

The Bureau's Office of Financial Protection for Older Americans is the only federal office dedicated to the financial health of Americans age 62 and over. Along with other agencies, the Office works to support sound financial decision-making and to prevent financial exploitation of older adults. To help people (including family members) with legal authority to handle an older person's money, the Office contracted and worked closely with the American Bar Association Commission on Law and Aging (ABA Commission) to prepare national versions of the Managing Someone Else's Money guides, six sets of state-specific guides (AZ, FL, GA, IL, OR and VA), and tips and templates to help other states adapt the guides. Though the guides were developed by the ABA Commission, they are not intended to provide legal advice or serve as a substitute for your own legal counsel. If you have questions or concerns, consider seeking the guidance of an appropriate legal professional.



## About ASAGA

ASAGA is the Alaska State Association for Guardianship & Advocacy. We are a non-profit organization helping families and others navigate the adult guardianships system and promote excellence in guardianship. ASAGA can assist in finding alternatives to guardianships or conservatorship, access the system and guide through your role in a court appointment.

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# Why read this guide?

Like many people, you may never have been a guardian or conservator of someone else's property before. That's why we created *Managing someone else's money: Help for court-appointed conservators*. This guide will help you understand what you can and cannot do in your role as a conservator. In that role, you are a **fiduciary**. For this guide, a fiduciary is anyone named to manage money or property for someone else. You'll find brief tips to help you avoid problems and resources for finding more information.

This guide is for family and friends serving as a conservator, not for professionals or organizations. The guide does not give you legal advice. Talk to a lawyer if you have questions about your duties.

If you want to learn about how to become a conservator, this guide is not designed for you. Talk to a lawyer or read other guides from your state or national organizations.

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## **Let's start with a scenario about how you might have become a conservator or fiduciary.**

Your family member or friend may not be able to make decisions on his or her own about money and property. For this guide, let's call this person Jamie. After a hearing, the court has named you conservator for Jamie. If you are a full guardian, this includes conservator duties. You now have the duty and power to make decisions on Jamie's behalf about some or all of his or her money and property.

The court has given you a lot of responsibility as Jamie's conservator.

You are now a **fiduciary** with **fiduciary duties**.

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# What is a fiduciary?

Since you have been named to manage money or property for someone else, you are a **fiduciary**. The law requires you to manage Jamie's money and property for HIS or HER own benefit, not yours. It does not matter if you are managing a lot of money or a little. It does not matter if you are a family member or not.

The role of a fiduciary carries with it legal responsibilities. When you act as a fiduciary for Jamie, you have four basic duties that you must keep in mind:

1. Act only in Jamie's best interest.
2. Manage Jamie's money and property carefully.
3. Keep Jamie's money and property separate from yours.
4. Keep good records.

As a fiduciary, you must be trustworthy, honest, and act in good faith. If you do not meet these standards, you could be removed as a fiduciary, sued, or have to repay money. It is even possible that the police or sheriff could investigate you and there could be legal consequences. **That's why it's always important to remember: It's not your money!** One exception might be if two people were married or if the Court ordered other financial allowances.

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## Different types of fiduciaries exist

In your role as conservator, you may act as or deal with other types of fiduciaries. These may include:

**Trustees under an irrevocable living trust**—someone names them to manage money and property.

**Representative payees or, for veterans, VA fiduciaries**—a government agency like Social Security or the Veteran's Administration names them to manage government money that is paid to someone. If the Court appointed you as conservator, you will have to take the extra step with these agencies to become a payee or fiduciary.

**Agents under a power of attorney**—someone names an agent to manage their money and property in case they are not able to do it.

# Conservator questions and answers

## What is a conservator?

A **conservator** is someone the court names to manage money and property for someone else whom the court has found cannot manage it alone.

Sometimes a conservator is also appointed as **guardian of the person**. A guardian of the person makes Jamie's health care and other personal decisions. Sometimes a different person is appointed to be the guardian of the person, or Jamie may still be able to make these personal decisions. Other options in Alaska could also include a health care POA or supported decision making agreements for personal decisions.

This guide only covers duties of the conservator. **Terms can differ in different states.** Jamie's money and property is called his or her **estate**. A person under guardianship may be called an **incapacitated person, protected person or ward**.

## What are your responsibilities as a conservator?

As a conservator, you have a double duty—both to Jamie, the person you are serving, and to the court.

### Duty to Jamie

You must always keep Jamie's best interests in mind. In managing his or her money, you must act for Jamie's good and not for your own good. Involve Jamie in decisions as much as possible.

### Duty to the Court

You are an agent of the court. The court has trusted you. You must report to the court annually or as requested and be ready to answer any questions. Within 90 days of your initial appointment, you will file an Implementation and Inventory report to the Court showing the court expected income and expenses (bills) as well as current assets (what they own) or any debts or liabilities (what they owe). Each year you are the conservator, you will file an annual report which is a report for the past 12 months on Jamie's finances.

## When do your responsibilities end?

Your responsibilities as Jamie's conservator lasts until the court relieves you of your duties. The court may do this because someone else has been appointed, Jamie has died, or Jamie no longer needs a conservator. If Jamie passes away, you will file a Final Conservator Report (or Guardianship report if you are both guardian and conservator within 90 days with a death certificate. If you need to resign or Jamie no longer needs a conservator, file a Petition for Review or PG 190.

## **Don't expect others to know what a conservator is or does.**

They may not understand that you have been appointed by the court. They may think you have more authority or less authority than you really have. You may need to educate them. You could show them this guide and a copy of the court order appointing you. You can always petition back to the Court if someone is not honoring your order for assistance.

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# **Four basic duties of a fiduciary**

## **Duty 1 | Act only in Jamie's best interest**

Because you are dealing with Jamie's money and property, your duty is to make decisions that are best for Jamie. This means you must ignore your own interests and needs, or the interests and needs of other people.

To help act in Jamie's best interest, follow these guidelines:

- **Read the court order.** Your powers and duties as Jamie's conservator are written in state law. They also may be written in the court order that appointed you. Some court orders may be detailed, while others may be very general. Read the court order closely, and talk to a lawyer if you don't understand it. Ask questions and learn all you can about what you should do—and what you should not do. You can also contact ASAGA with questions.
- **Do what the court order says—and don't do what it says you should not do.** It is important that you not act beyond what the law and the court order allow, and that you carry out the basic tasks necessary. Your powers may be limited to certain actions or certain amounts of money. You may need to get the court to approve other actions. Even if you have the best intentions, follow the court order.
- **As much as possible, involve Jamie in decisions.** Many things can affect your decisions. For example, you might feel pressure from others. Jamie's abilities to make decisions may change from time to time, or maybe Jamie was never able to make decisions about his or her money and property. Consider these three steps:
  - First, ask Jamie what he or she wants. Jamie may be able to decide some things. If so, take this into account, especially if it is similar to his or her thinking in the past and the risk of harm to him or her is not substantial. For example, if Jamie wants to handle money, see if he or she can manage a small bank account or a monthly cash allowance. Doing this will let Jamie be in charge of a set amount, and you will limit the risk to that amount.
  - Second, try to find out what Jamie would have wanted. Look at any past

decisions, actions, and statements. Find as much information as you can. Ask people who care about Jamie what they think he or she would have wanted. Make the decision you think that Jamie would have made, unless doing so would harm him or her.

- Third, do what you think is best for him or her. If you have looked hard and still don't know what Jamie would have wanted—or if Jamie could never make decisions about money and property—use your judgment about what is best. Put Jamie's well-being above saving money for others who may inherit his or her money and property. Make sure that Jamie is safe and comfortable, and needs are met.
- Alaska has adopted the National Guardianship Standards of Practice with you can obtain at [www.guardianship.org](http://www.guardianship.org) or ASAGA can send to you. In the standards of practice, the first guide to decision making is ask the person what they want.
- **Avoid conflicts of interest.** A conflict of interest happens if you make a decision about Jamie's property that may benefit someone else at Jamie's expense. Because you were appointed by the court, you have a strict duty to avoid conflicts of interest—or even the appearance of a conflict of interest. Try to keep an “arm's length distance” between your interests and any use of Jamie's money.
- **Don't borrow, loan, or give Jamie's money to yourself or others.** Even if the court order clearly allows gifts to you or others, be very careful to avoid conflicts of interest. Usually, the court must approve gifts or loans, or those over a certain amount. Make sure that any gifts do not increase or complicate Jamie's taxes or change his or her plans for his or her property when Jamie dies. Any gifts or loans should be in line with what Jamie would have wanted. For example, if Jamie gave money every year to a charity, the court may allow you to continue doing that. Holiday or birthday gifts in a reasonable amount are generally fine. Check with the Court if you have questions or concerns, making large gifts or have other requests.
- **If Jamie has a will for property, as conservator, you cannot change that. You cannot also create a will if there was not one in place prior to your appointment.** Jamie however may still be able to change a will or create one however, you should get legal advice and possibly approval from the court before you do anything.
- **Don't pay yourself for the time you spend acting as Jamie's conservator, unless the court allows you to do so.** If you are allowed to pay yourself, it will be in the court order.

To avoid any surprises or misunderstandings, tell family about your fees when you begin your duties as a conservator. If you charge fees, charge what the court allows you to and keep documentation. Don't charge for things you do that are not specifically as conservator. For instance, don't charge fees if you shop for Jamie or personally make home repairs. If necessary, you can pay someone else for these tasks and document the expenses.



## **Avoid possible conflicts of interest**

Sometimes people have good intentions, but do things they shouldn't. Because you are now a fiduciary, you should avoid any conflicts of interest. Here are a few examples of possible conflicts of interest:

### **Whose car is it?**

You used Jamie's money to buy a car. You use it to drive him or her to appointments, but most of the time you drive the car just for your own needs. This may be a conflict of interest. The Court may allow you to purchase a car with Jamie's money but get permission first.

### **Should you do business with family?**

Jamie needs repair work in his or her apartment. You hire your son and pay him from Jamie's money. This may be a conflict of interest, even though the work was needed. It appears that you have put your personal interest to benefit your son in conflict with Jamie's interests. Be sure that your son is charging a market rate and document the work done to ensure someone else could not have done it for less. Keep documentation so that it does not appear you were just giving away money.

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## Duty 2 | Manage Jamie's money and property carefully

As Jamie's conservator, you might pay bills, oversee bank accounts, or pay for things he or she needs. You might also make investments, pay taxes, collect rent or unpaid debts, get insurance if needed, cancel any unneeded insurance, and do other things in the court order.

You have a duty to manage Jamie's money and property very carefully. Use good judgment and common sense. As a fiduciary, you must be even more careful with Jamie's money than you might be with your own!

Follow these guidelines strictly according to the court's procedures:

- **Make an inventory.** To make careful decisions, you need to know what Jamie owns and owes. To make a proper inventory, you must find and list for the court all of Jamie's income and property, as well as any debts or legal claims against his or her properties (called liens.) **This is the Conservatorship Implementation and Inventory Report and is due 90 days after the date your orders are signed by the Court.** To avoid any risk to Jamie's money and property, you must make the inventory as quickly as possible.

An inventory may include all kinds of property. Your list might include:

- Checking and savings accounts;
  - Cash;
  - Pension, retirement, annuity, rental, public benefit, or other income;
  - Real estate;
  - Cars and other vehicles;
  - Insurance policies;
  - Trusts for which Jamie is a beneficiary;
  - Stocks and bonds;
  - Jewelry, furniture, and any other items of value; and
  - Unpaid credit card bills and other outstanding loans.
- **File the inventory with the court.** Keep a copy of the inventory for your records and file it with the court by the due date. Be ready to share it with family listed with the court as interested parties if court ordered. Your report will be reviewed by the Court.
    - **The court may require you to buy a bond but this will be discussed prior to an order being issued.** A bond is a special type of insurance policy so the court can make sure you carry out your duties. If you fail in your duties and, as a result, money is lost or stolen, the bonding company will pay the money back. Then the company will try to collect the money from you. The cost of the bond would be payable from Jamie's money. If it is not

in the court order, you are not required. Only people with good financial records and credit histories can get a bond. If you have had a bankruptcy, you will not likely be able to get a bond. Try to check this before you are appointed as conservator or as soon as possible. Take all steps the court advises about getting a bond.

Sometimes, instead of requiring a bond, the court will limit the amount of funds you can take out of Jamie's account. This is called a restricted account. The court will tell the bank to block the account above a certain amount. If you want to spend more than that amount, you must get the court to approve the expense.

- **Protect Jamie's property.** Keep his or her money and property safe. Have Jamie's income and bills sent to you. Put his or her valuable items in safe deposit boxes and lock other items he or she is not using in storage. Keep Jamie's cash in bank accounts that earn interest if possible and that have low or no fees. Review bank and other financial statements promptly. If Jamie will not be living in his or her home, consider changing the locks. Figure out if the house should be rented, or how to keep it safe if it is vacant. If Jamie rented an apartment and will be moving, tell the landlord, remove Jamie's things, and have the apartment cleaned.
- **Make a financial plan.** Make a budget as if you were making one for your own household. List how much you expect to pay for nursing home, assisted living or home care, rent, food, medical care, and home maintenance or repair. Be sure to include a monthly amount for Jamie to use as he or she pleases. Think about any special expenses that may arise, such as dental work or any medical care or equipment that Medicare, Medicaid, or other health insurance will not cover. Try to stick to your budget. If something very costly occurs, you may need the court to approve the expense.
- **Invest carefully.** If you are making investments for Jamie, talk to a financial professional. The Securities and Exchange Commission (SEC) provides tips on choosing a financial professional at [www.sec.gov/investor/alerts/ib\\_top\\_tips.pdf](http://www.sec.gov/investor/alerts/ib_top_tips.pdf). Discuss your choices and goals for investing based on Jamie's needs and values.
- **Pay bills and taxes on time.**
- **Cancel any insurance policies that Jamie does not need.**
- **Collect debts.** Find out if anyone owes Jamie money, and try to collect it.
- **There's no place like home.** The court order may not allow you to sell Jamie's real estate but if the order does not specifically prohibit it, conservators in Alaska generally have the authority. In any case, it is good practice to get court approval to sell, mortgage, or lease any property - especially if rented or sold to other family members.

Jamie may want to continue to live in the home he or she owns or rents. In that case, take these steps:

- **Determine if living in his home is safe, and if Jamie can manage in the house.** If needed, put in guard rails, grab bars, smoke detectors, extra lighting,

and other things to help him stay at home. Tax credits or deductions might be available if you make the home easier to live in. Work with any other decision-makers (such as an agent under a health care power of attorney or any guardian of the person if you have not been appointed to fill this role).

If it is not safe to live at home even with changes—or if Jamie wants to move—**consider other places that meet Jamie’s needs. Try to keep him or her connected to people and things important to Jamie.** Choices might be living with someone else, or living in a retirement community, a senior apartment, group home, assisted living, or nursing home. You may need court approval for a move.

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### Tips for making an inventory

**Don’t leave anything out.** Even if you know Jamie wants you to have certain things and says so in his or her will, list them in the inventory. A proper inventory lists everything according to the court’s rules. Do not decide that some things should not be listed. Until Jamie’s passing, all items still belong to Jamie and may need to be used for Jamie’s benefit.

**Search carefully.** Look carefully to find everything Jamie owns. Search his or her mail and home. Look for real estate by talking to family or advisors and looking through land records. Track down letters from creditors to find unpaid debts. Take valuable items to an appraiser.

**Verify if necessary.** It is a good idea to have someone else check the list, especially if family might argue over Jamie’s money and property.

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### Can Jamie get any benefits?

Find out if Jamie is eligible for any financial or health care benefits from an employer or a government. These benefits might include pensions, disability, Social Security, Medicare, Medicaid, Veterans benefits, housing assistance, or food stamps (now known as Supplemental Nutrition Assistance Program or SNAP). Use the National Council on Aging benefits check-up at [www.BenefitsCheckUp.org](http://www.BenefitsCheckUp.org).

If needed, apply for any benefits that Jamie is eligible or entitled for. In Alaska, other items might include the Permanent Fund Dividend (PFD) or native dividends from native corporations.

#### **Medicaid is complicated**

Get legal advice and be very careful about decisions that may affect Jamie’s eligibility for Medicaid. The Medicaid program provides medical assistance and long-term care to low-income people. Past financial decisions could affect future Medicaid applications. If unsure about eligibility, you can always apply and if denied, the Medicaid office will provide the reason why.

## Duty 3 | Keep Jamie's money and property separate

Never mix Jamie's money or property with your own or someone else's. Mixing money or property makes it unclear who owns what. Confused records can get you in trouble with the court. If the conservator is married to Jamie, other arrangements may be possible and would be determined by the Court

Follow these guidelines:

- **Separate means separate.** Never deposit Jamie's money into your own or someone else's bank account or investment account without a court order. For example, there may be a rent or room and board agreement. This money can be taken from Jamie's account and put into your account. Otherwise, do not co-mingle money.
- **Avoid joint accounts.** If Jamie already has money in a joint account with you or someone else, get legal advice before making any change.
- **Keep title to Jamie's money and property in his or her own name.** This is so other people can see right away that the money and property is Jamie's and not yours. Ask the bank for a guardianship, conservatorship or fiduciary account that shows you are managing the account for Jamie. Some banks do not open these types of accounts. You may need to shop around for a bank that works.
- **Know how to sign as conservator.** Sign all checks and other documents relating to Jamie's money or property to show that you are Jamie's conservator. For example, you might sign: "Juan Doe, as conservator for Jamie Roe." Never just sign "Jamie Roe." Check with the bank you are using.
- **Pay Jamie's expenses from his or her funds, not yours.** Spending your money and then paying yourself back makes it hard to keep good records. If you really need to use your money, save receipts for the expense and keep a good record of why, what, and when you paid yourself. You can be asked for documentation on any reimbursements by the Court.
- **If you buy something for Jamie and need to reimburse yourself,** keep records of the purchase to show proof and records of the payback. You will report this on the annual report under fees and costs to guardian and list reimbursement. If you need more space that the report provides, use an extra sheet of paper.

## Duty 4 | Keep good records and report to the court

You must keep true and complete records of Jamie's money and property.

As conservator, the court or a lawsuit can challenge you to show everything you've done with Jamie's money and property. Always be ready to share your records with family—unless you think they will misuse the information to harm Jamie.

Practice good recordkeeping habits:

- **Keep a detailed list of everything that you receive or spend for Jamie.** Records should include the amount of checks written or deposited, dates, reasons, names of people or companies involved, and other important information.
- **Keep receipts and notes, even for small expenses.** For example, write "\$50, groceries, ABC Grocery Store, May 2" in your records soon after you spend the money.
- **Avoid paying in cash.** Try not to pay Jamie's expenses with cash. Also, try not to use an ATM card to withdraw cash or write checks to "Cash." If you need to use cash, be sure to keep receipts or notes. Multiple ATM withdrawals on a conservatorship account raises a red flag and will be expected to have receipts for these purchases.
- **Getting paid?** If you are permitted by the court to charge a fee to serve as conservator, be sure to follow the court order and do not increase it without court permission. Keep detailed records as you go along of what work you did, how much time it took, when you did it, and why you did it. If it is for rent or room and board, be sure to collect the correct amount each month.
- **File your accountings with the court.** Each year—or whenever the court requires—you must report to the court, including giving an accounting of all the money you received and spent.
  - The court will give you a specific form for the accounting or will tell you what is required. Use the records you have kept during the year to fill in the form. If you have questions, ask ASAGA or a lawyer for help. If you are conservator only, it is Alaska Court form PG 225. If you are also a guardian of the person, you will use PG 210, Guardianship Annual report which includes the financial report.
  - The court will tell you when the accounting is due. Be sure to turn it in on time. If your accounting is late, the court may call you in to explain why.
  - Your accounting must be clear and must reconcile meaning "add up." The accounting should show a beginning balance, income during the year, expenses during the year, and an ending balance. The ending balance for one year should be the same as the beginning balance for the next year. This is often called reconciliation or that accounts reconcile.
  - Accounting requirements differ by court, and may change over time. Try to

understand in advance what is needed, so that your accounting is not rejected for a minor problem. Ask for an example of a correct accounting. You may need an accountant to help.

- **File a final accounting after Jamie dies.** Notify the court when Jamie dies. According to court procedures, make a final accounting of Jamie's money and property, and ask for an order releasing you from your duties.
  - Sometimes, you may need to pay final bills or make final arrangements, especially if no one else can do it. For example, you may need to pay funeral expenses and final medical bills.
  - If Jamie did not already make funeral or burial arrangements, look for any directions he or she may have left—perhaps in advance directives or remarks to family or friends.
  - An executor named in a will, an administrator named by the court, or a trustee named in a trust will handle Jamie's money and property after you turn them over. Hold Jamie's personal things safely until they are transferred to whoever is to receive them. If you are the one named to handle Jamie's money and property after his death, make sure you understand when your duties as conservator end and your new duties begin. If you would like training on how to probate an estate, Alaska Legal Services has narrated Power Points on its website and this resource is located at the end of this booklet and on the Helpful Links page of the ASAGA website under Educational Resources.

# More things you should know

## What if there are other fiduciaries?

### Co-conservators

The court may have named someone else to act with you as Jamie's conservator, or it may have named someone else to act as Jamie's guardian of person to make healthcare and other personal decisions.

Any other guardians or conservators will be your partners in making decisions on Jamie's behalf and in helping him or her make decisions if he or she is able. You must work closely together. For example, if Jamie will move to a new location or get special care, Jamie's guardians must make important personal decisions but you need to be included on the financial decisions. You must consult with one another.

### **Other types of fiduciaries**

Other fiduciaries may have authority to make decisions for Jamie. For example, he may have an agent under a power of attorney, a representative payee who handles Social Security benefits, or a VA fiduciary who handles veterans benefits. It is important to work with these other fiduciaries, and keep them informed if you are not named.

## Government benefits require special fiduciaries

As conservator, you cannot manage Jamie's government benefits such as Social Security or VA benefits unless you get a separate appointment from the government agency as, for example, a representative payee or VA fiduciary. For more information, contact the government agency.



## How can you avoid problems with family or friends?

Family or friends may not agree with your decisions about Jamie's money and property. To help reduce any friction, follow the four duties described above and the guidelines we've given you.

- Sharing information may help (unless Jamie has said that you should not). It usually is easier to deal with questions about a decision when it happens than to deal with suspicion and anger that may build over a long time. State law or the court may require you to send accountings to family and friends, or may say you should not. If there is no direction from the court, get court approval before sharing information.
- Some family or friends may not have Jamie's best interest at heart, so it may be better not to share information with them, or to ask the court not to share it. Use your best judgment and document your reasons if ever asked by the Court.
- If family or friends don't agree with your decisions, try to get someone to help sort it out—for example, a family counselor or mediator. You can always ask for help from the Court by filing a Petition for Review.

## What should you know about working with professionals?

In managing Jamie's affairs, you may need help from professionals such as lawyers, brokers, financial advisors, accountants, real estate agents, appraisers, psychologists, social workers, doctors, nurses, or care managers. You can pay them with Jamie's money.

If you need help from any professionals, remember these tips:

- **Check on the professional's qualifications.** Many professionals must be licensed or registered by a government agency. Check credentials with the government agency. Make sure the license or registration is current and the professional is in good standing. Check the person's complaint history.
- **Interview the professional thoroughly and ask questions.**
- **Review contracts carefully before signing.** Before hiring any professionals, get their proposed plan of work and expected fee.
- **Make your own decisions based on facts and advice.** Listen to their advice but remember you are the decision-maker.

# Watch out for financial exploitation

Family, friends, neighbors, caregivers, fiduciaries, business people, and others may try to take advantage of Jamie. They may take his or her money without permission, neglect to repay money they owe, charge Jamie too much for services, or just not do things he or she has paid them to do. These may be examples of financial exploitation or financial abuse. As Jamie's conservator, you should help protect Jamie. You should know the signs of financial exploitation for five important reasons:

1. Jamie may still control some of his or her funds and could be exploited;
2. Even if Jamie does not control any of his or her funds, exploitation can still happen
3. Jamie may have been exploited already, and you may still be able to do something about that;
4. People may try to take advantage of you as Jamie's conservator; and
5. Knowing what to look for will help you avoid doing things you should not do, protecting you from claims that you have exploited Jamie.

## Look for these common signs of financial exploitation

- **Some money or property is missing.**
- **Jamie says that some money or property is missing.**
- **You notice sudden changes in Jamie's spending or savings.** For example, he or she:
  - Takes out lots of money from the bank without explanation;
  - Tries to wire large amounts of money;
  - Uses the ATM a lot;
  - Is not able to pay bills that are usually paid;
  - Buys things or services that don't seem necessary;
  - Puts names on bank or other accounts that you do not recognize or that he or she is unwilling or unable to explain;
  - Does not get bank statements or bills;
  - Makes new or unusual gifts to family or others, such as a "new best friend";
  - Changes beneficiaries of a will, life insurance, or retirement funds; or
  - Has a caregiver, friend, or relative who suddenly begins handling his or her money.

- **Jamie says he or she is afraid or seems afraid of a relative, caregiver, or friend.**
- **A relative, caregiver, friend, or someone else keeps Jamie from having visitors or phone calls, or does not let him speak for himself, or seems to be controlling his decisions.**

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### Be on guard for consumer scams

As Jamie's conservator, you should be alert to protect his money from consumer scams as well as financial exploitation. Criminals and con artists have many scams, and change them all the time. They often seek unsuspecting people who have access to money. Learn to spot consumer scams against Jamie—and against you as his conservator.

## How can you protect Jamie from scams?

Consumer scams happen on the phone; through the mail, e-mail, or the Internet; and they occur in person, at home, or at a business.

Here are some tips:

- **Put Jamie's number on the National Do Not Call Registry.** Go to [www.donotcall.gov](http://www.donotcall.gov) or call 1-888-382-1222.
- **Don't share numbers or passwords for Jamie's accounts, credit cards, or Social Security,** unless you know whom you're dealing with and why they need the information.
- **After hearing a sales pitch, take time to compare prices.** Ask for information in writing and read it carefully.
- **Too good to be true?** Ask yourself why someone is trying so hard to give you a "great deal." If it sounds too good to be true, it probably is.
- **Watch out for deals that are only "good today" and that pressure you to act quickly.** Be suspicious if you are not given enough time to read a contract or get legal advice before signing. Also watch out if you are told that you need to

## What can you do if Jamie has been exploited?

- Call the emergency 911 number if Jamie is in immediate danger.
- Call local adult protective services
- Alert Jamie's bank or credit card company. As conservator, you can monitor if need be, freeze credit.
- In Alaska, if the person is 60 or over, the Office of Elder Fraud may be helpful. (907) 334-5989
- Call the long-term care ombudsman program or the state Medicaid fraud control unit if Jamie is in a nursing home or assisted living.
- Consider talking to a lawyer about protecting Jamie from more exploitation or getting back money or property taken from him.

Each agency or professional has a different role, so you may need to call more than one. For more information, see *Where to go for help* on page 22 of this guide or call ASAGA for information.

pay the seller quickly, for example by wiring the money or sending it by courier.

- **Never pay up front for a promised prize.** Suspect a scam if you are required to pay fees or taxes to receive a prize or other financial windfall.
  - **Watch for signs Jamie already has been scammed.** For example, does he receive a lot of mail or e-mail for sweepstakes? Has he paid people you don't know, especially in other states or countries? Has he taken a lot of money out of the bank while he was with someone he recently met? Does he have a hard time explaining how he spent that money? Is he suddenly unable to pay for food, medicine, or utilities?
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## Common Consumer Scams

<b>Relative in need</b>	Someone who pretends to be a family member or friend calls or e-mails you to say they are in trouble and need you to wire money right away.
<b>Charity appeals</b>	You get a call or letter from someone asking for money for a fake charity—either the charity does not exist or the charity did not call or write to you.
<b>Lottery or sweepstakes</b>	You get a call or e-mail that you have a chance to win a lot of money through a foreign country’s sweepstakes or lottery. The caller will offer tips about how to win if you pay a fee or buy something. Or the caller or e-mail says you already have won and you must give your bank account information or pay a fee to collect your winnings.
<b>Home improvement</b>	Scammers take money for repairs and then they never return to do the work or they do bad work. Sometimes they break something to create more work or they say that things need work when they don’t.
<b>Free lunch</b>	Scammers invite you to a free lunch and seminar, and then pressure you to give them information about your money, and to invest the money with them. They offer you “tips” or “guaranteed returns.”
<b>Free trip</b>	Scammers say you’ve won a free trip but they ask for a credit card number or advance cash to hold the reservation.
<b>Government money</b>	You get a call or letter that seems to be from a government agency. Scammers say that if you give a credit card number or send a money order, you can apply for government help with housing, home repairs, utilities, or taxes.
<b>Drug plans</b>	Scammers pretend they are with Medicare prescription drug plans, and try to sell Medicare discount drug cards that are not valid. Companies with Medicare drug plans are not allowed to send unsolicited mail, emails, or phone calls.
<b>Identity theft</b>	Scammers steal personal information—such as a name, date of birth, Social Security number, account number, and mother’s maiden name—and use the information to open credit cards or get a mortgage in someone else’s name.
<b>Fake “official” mail</b>	Scammers send letters or e-mails that look like they are from a legitimate bank, business, or agency to try to get your personal information or bank account number.

# Where to go for help

## Local and state agencies

### **Adult Protective Services**

550 West 8th Avenue

Anchorage, AK 99501

Phone: 907-269-3666 or 1-800-478-9996 (in state only)

<http://dhss.alaska.gov/dsds/Pages/aps/default.aspx>

### **Aging and Disability Resource Centers**

Find the one in your location or call 1-855-565-2017 toll-free.

<http://dhss.alaska.gov/dsds/Pages/adrc/default.aspx>

### **Better Business Bureau**

Find a state or local bureau on the website of the national Better Business Bureau. The BBB can help consumers with complaints against businesses.

[www.bbb.org](http://www.bbb.org)

### **Long-Term Care Ombudsman Program**

3745 Community Park Loop, Suite 200

Anchorage, Alaska 99508

(907) 334-4480

(800) 730-6393

fax: (907) 334-4486

email: [OLTCO@alaska.gov](mailto:OLTCO@alaska.gov)

<https://akoltco.org/>

### **Office of Elder Fraud and Assistance**

900 West 5th Avenue, Suite 525

Anchorage, AK 99501

(907) 334-5989

(907) 375-7788 fax

[http://doa.alaska.gov/opa/oefa/contact\\_us.html](http://doa.alaska.gov/opa/oefa/contact_us.html)

## **Disability Law Center**

There are several locations around the State. Find your location at or call/email  
<http://www.dlcak.org/html/contact.php>

**1-800-478-1234.** Or [akpa@dlcak.org](mailto:akpa@dlcak.org).

## **Alaska Legal Services**

**There are several locations across Alaska – Find one near you at**

**<https://www.alsc-law.org/contact-us/>**

For direct link to their classroom site, you'll find helpful trainings at  
<https://alaskalawhelp.org/>

## **Medicaid Fraud Control Unit**

***Message Hotline to Report Medicaid Fraud 1-907-269-6279***

<http://www.law.state.ak.us/department/criminal/mfcu.html>

## **Federal agencies**

Numerous federal agencies play a role in combatting fraud and abuse and educating consumers. Contact them for more information.

### **Bureau of Consumer Financial Protection**

1-855-411-2372

[www.consumerfinance.gov](http://www.consumerfinance.gov)

### **Do Not Call Registry**

1-888-382-1222

[www.donotcall.gov](http://www.donotcall.gov)

### **Federal Bureau of Investigation**

[www.fbi.gov/scams-safety](http://www.fbi.gov/scams-safety)

### **Federal Trade Commission**

1-877-FTC-HELP (382-4357) [www.consumer.ftc.gov](http://www.consumer.ftc.gov)

**Financial Fraud Enforcement Task Force**

[www.stopfraud.gov](http://www.stopfraud.gov)

**Postal Inspection Service**

1-877-876-2455

<https://postalinspectors.uspis.gov/>

**Social Security Administration**

1-800-772-1213

[www.socialsecurity.gov/payee](http://www.socialsecurity.gov/payee)

**Department of Veterans Affairs**

1-888-407-0144

[www.benefits.va.gov/fiduciary](http://www.benefits.va.gov/fiduciary)