



Presentation of Lisa MacCarley to the California Judicial Council Sacramento / September 24, 2019

My name is Lisa MacCarley, I am an attorney, and I have been appearing on behalf of families, fiduciaries, and litigants in Southern California probate courts, week in and week out, for over 25 years. “*In the trenches*” so to speak, and I will try to give you a glimpse of what the probate court battlefield looks like from my point of view . . .

. . . A few years ago, a coalition of families whose loved ones were essentially kidnapped and financially abused in Las Vegas were able to document their efforts to expose the racket they discovered. Their experiences were made into the documentary “**The Guardians**” by Billie Mintz. I highly recommend the documentary to any person who wishes to better understand how quickly the probate courts can become complicit in abuse.

During the filming of the documentary, a family member coined a phrase to describe the modus operandi of the elder abusers as follows: “*isolate the victim, defame legitimate protectors, and liquidate the estate.*”

Similarly, California probate courts are not functioning as they should be and this absolutely must be addressed before the baby boomers hit their eighties in a few short years.

The wealth held by the Golden State’s senior community, the longevity which leads to the growth in dementia related illnesses, and **the lack of competent oversight of the adjudicating courts has made exploitation of the vulnerable through conservatorship proceedings a lucrative business** for attorneys, professional fiduciaries, and retired judges who charge up to \$800 an hour to resolve the sundry disputes.

The real life trauma and miscarriages of justice that result from **inappropriate advocacy** affects every range of our economic spectrum.

- A famous radio personality
- A beloved Orange County Superior Court judge
- A former NFL quarterback
- The autistic son of poor Russian immigrants
- A man with the mental age of three or four who was routinely handcuffed, hands behind his back and left naked in the backyard.

I have researched viable, cost-effective and readily implemented alternatives to the current “court appointed attorney” system and that proposal has been submitted to our Governor Gavin Newsom, Senator Portantino, Senator Umberg, and others.

I beseech you to please consider the proposals, which are currently the law in the State of Nevada as a result of The Guardian documentary, **as a means of restoring our California probate courts to an institution of appropriate advocacy and protection and mitigating the trauma of the current dysfunctional “court appointed attorney” system.** ♦♦♦

Lisa MacCarley is an attorney with offices in Glendale, California. She may be contacted at: lisamaccarley@gmail.com