

Ken Dwitkowsky- ***“Elder Cleansing as I use it is defined as the use of the Courts of the State, or other judicial proceeding to isolate a victim (usually a senior citizen or a disabled person) so that the said victim can be deprived of some vest right. The vested rights are defined in Article 1 of the Illinois Constitution and the Bill of Rights (First ten amendments to the United States Constitution) and include abuse, exploitation i.e. deprivation of liberty, property, humanity, life savings and life in the broadest interpretation.”***

“The appointment of a guardian is recognized by every state as an infringement of the Rights, privileges and immunities of American citizen.”

Robert Jaycox –

recovering and unable to pay for medical so facility placed him into Guardianship and then doctor tried to say he was incompetent, but allowed him to sign his own forms.

Robert Jaycox’s ordeal is an example of the unholy **alliance between the Court, the health care provider** (in this case a nursing home), and the assertion of absolute power over an individual in the elder cleansers quest for Federal (and State) funds.

They forced him into guardianship so the Federal Government had to pay nursing home fees.

Guardianship court trail postponed and Robert died of unusual particles in his lungs.

Alice Gore was an elderly widow. Guardian ad litem appeared in Court before a patently corrupt Judge and obtained Court orders that assured for not only the theft of Gore’s assets, but her being placed on a feeding tube and drugs that were reasonably calculated to render her a member of the living dead.

Responsible and caring **family members were excluded** from Alice Gore’s life by the guise of claiming that they agitated her by their presence, were stealing or otherwise dishonest in their dealings with Gore and/or constituted a threat to her.

The victim (Alice Gore) had no future life! She was warehoused until every possible dime was removed from her Estate and then eliminated (killed). So complete was the quest for riches that even the body of the victim was not secure.

In the **Alice Gore case 29 teeth were extracted** so that the grains of **gold in her teeth** would be reclaimed. Once the last grain of gold was removed, Mrs. Gore died.

The family was not notified and for days she lay dead and uncared for.

1.5 million dollars in assets gone.

Few people reach their late 80’s and **early 90’s continue in a vigorous state of life, however, Mary Sykes in fact was such a person.** The fact that Mary traded regularly with local merchants purchasing sundries, was running a small business (during contract sewing) was aware of her financial affairs enough to know and understand that her older daughter had stolen four thousand dollars from her, and had tricked her into signing testamentary documents that literally favored the older daughter, were all ignored.

Mary was then and there spirited out of her former life, her church, her garden club and all that made her unique. Visiting with her younger daughter was denied – some guardian ad litem reported to the Court that visits with Mary’s family agitated her,

Evidence of the deprivation, neglect, and other torture inflicted on the innocent elderly was systematically destroyed by the combination of the Court, court appointed miscreants, or the law enforcement authorities acting in concert.

The Estate of Mary Sykes is depleted by the theft of an estimated three million dollars.

Affidavit Berchau- FL

William Berchau was born in Lituania in 1914.

He fled to Germany during Joseph Stalin's rise to power, then immigrated from Germany to the United States. William Berchau had a long career as an employee of the Illinois Central Railroad.

He and his wife retired in Clearwater, Fla. Shortly after her death in 2010, he attempted to sell his house and was soon taken into the Florida Guardian Program affairs after a state social worker learned that he tried to sell his house for a below-market price.

Guardian, Johnson, 67, took control of more than \$500,000 of Berchau's assets. Those assets included his home, which Johnson sold for \$65,000. That sale was for \$26,400 less than the Pinellas property appraiser's valuation of \$91,400.

William Berchau says he doesn't get out of an assisted living facility much anymore. "No, I'm not allowed," Berchau told the ABC Action News I-Team. "My court-appointed guardian doesn't allow me to leave the premises."

"He seems to be very mentally sharp and alert," Berchau's pastor, David Priebe, said of his church member. "I just can't believe that somebody would think he's incompetent mentally."

His friends have been allowed to take Berchau out of the locked unit so he could worship at Priebe's church. Otherwise, Berchau said: "You see nobody. You have no contact with anybody."

"If I get packages," Berchau told the I-Team, "it's opened up to take a look what's in it."

State law allows a guardian to bill wards \$70 an hour for the time it takes to perform tasks such as visiting them, opening their mail and taking them to appointments. Berchau says he has asked to see an accounting of how his guardian spends his money, but has been denied.

Until July, Berchau lived at the Inn at the Fountains, an ALF in St. Petersburg. Without advance warning to Berchau, Johnson moved him to the locked Alzheimer's unit at the Grand Villa, which state regulators have fined twice since 2005. "In our opinion, Mr. Berchau was not a candidate for a secured unit when he left the Fountains," that ALF's executive director wrote in an email to the I-Team last month.

Last year, Berchau's relatives in Germany hired a Brandon attorney to try to have Johnson removed as guardian. But the judge ruled against Berchau, who ended up having to pay the legal bills of [the Guardian's] lawyer to fight him in court.

As guardian, Johnson, who is also a Pinellas Park city councilwoman, was permitted to change Berchau's doctor and sell his possessions. Johnson, who looks after more than 50 Pinellas wards, also confiscated Berchau's voting and identification cards, closed his bank account, and had his mail sent to her home.

Mary Jane Mann--My mother is a most remarkable, energetic, and independent woman.

Affidavit Carol Kelley- CA

The ordeal began when my younger sister (who had no retirement plan of her own) took my mother to an attorney to draft a new trust, assigning 75% of her assets to my sister. My mother refused to change her trust and declined the attorney's recommendation that she turn over her finances to a fiduciary. She was incensed that she was even billed for appointments with an attorney that she herself had not made.

The conservator and attorneys repeatedly worked to create conflict between my sister and me and to alienate my mother from me. Our family was irrevocably torn apart.

A short time after my mother formally fired this attorney in writing, she was placed under an emergency conservatorship based on an Adult Protective Service's social worker's report. This single report was based on my sister's account and that of the attorney rejected by my mother.

As information continued to demonstrate that the basis for the conservatorship was false, they clung to these falsehoods, allowing them to maintain control over mom. Glaring conflicts of interest were rampant. Not only was a conservatorship forced upon my mother, the attorney my sister had taken her to (and was the source of the false report) got herself appointed as my mother's attorney. Though my mother steadfastly refused to have this woman represent her, she attended all legal proceedings and billed my mother's estate for her time. My sister hired her own attorney and paid all of his fees from my mother's estate.

My mother vehemently protested the conservatorship and wrote a rebuttal to the petition. She wrote letters nearly daily to attorneys demanding that her rights be restored. However, soon she found she had been stripped of rights we all take for granted:

- She was not allowed to move or sell her home. The conservator's name was added to her house deed.
- **Her U.S. mail was rerouted to the conservator.[Guardian]**
- **Her driver's license was lifted.**
- She had limited access to her bank account. A stranger was placed on her trust and bank account.
- Monies were taken from her trust via documents on which her name was forged by the conservator's office. **These funds supported a 'feeding frenzy' of attorneys and the conservator.**
- She was not permitted to change her trust.
- **She was subject to unannounced, unwelcome, intrusive visits from the conservator's office,** reminding her of loss of rights. The visits caused her to live in constant fear of these intrusions.

With every loss of freedom, she said it was like being shot at.

"I cannot take anymore. I do not want to live as a non person."

To fight for control of her life, my mother subjected herself to three independent competency evaluations. Reports from a clinical psychologist, her attending physician, and a clinical neurologist all found my mother to be not only competent to manage her affairs, but functioning above the norm compared to others her age.

After hiring several attorneys and paying significant fees, and investigations by the U.S. Attorney and Attorney General's office, my mother eventually did regain control of her life.

Margarita Zelada -affidavit Conklin- CA

*“Del Rey Oaks Senior Paradise is a **new kind of living experience!**”*

For Margarita Zelada, that living experience does not include her family or friends.

She is locked inside and not allowed visitors.

Family says phone calls are often restricted. Visitors for Margarita are denied entry into the facility.

Staff threaten to call police when advocates request to to check on Margarita.

Advocates were not allowed to conduct a welfare check or determine whether Margarita receives adequate care. Flagrant violation of personal rights leads advocates to wonder what sort of conditions are hidden behind locked doors.

California residential care facilities are subject to licensing regulations in Title 22. Those regulations include specific personal rights that apply to all residents of those facilities. Rights specifies in [22 CCR 87468\(a\)](#) include:

(6) To leave or depart the facility at any time and to not be locked into any room, building, or on facility premises by day or night.

(11) To have his/her visitors, including ombudspersons and advocacy representatives permitted to visit privately during reasonable hours and without prior notice, provided that the rights of other residents are not infringed upon.

(14) To have reasonable access to telephones, to both make and receive confidential calls.

From the below very telling letter written by Chris Campbell, court-appointed attorney for Margarita Zelada: *“...There is no one in the world more important to Mrs. Zelada than her daughter, and the fact that Mrs. Zelada has been unable to see Patricia since she was taken into custody has been a devastating blow to her.....I understand I have no role in this criminal case, but I want you to know how strongly my client feels since she is not in a position to tell you herself ,and I have promised her that I would make contact with Patricia’s defense counsel and make her position clear.”*

- Senior Paradise had doors locked (with three locks) in violation of 22 CCR 87468(a)(6).
- Margarita was not allowed to leave the building, which is a violation of 22 CCR 87468(a)(6).
- Administrators Margaret Eldred Camara and Judith Pardo-Soto stated that Margarita is not allowed any visitors without approval from Deputy Public Guardian Jennifer Empasis, which is a violation of 22 CCR 87468(a)(11). Empasis instructed the administrators to call police if anyone asked to visit Margarita.
- *Margarita’s relatives state that phone calls to Margarita are often blocked, which is a violation of 22 CCR 87468(a)(14).*

Genevieve Bush's story- Pennsylvania Chester County system of courts would suck the life from this family and begin the process of liquidating Genevieve's assets long before her death. Genevieve herself began to suffer atrocities no one could imagine could happen to a citizen in the United States of America.

Genevieve's life is being obliterated.

Genevieve was deemed a ward of the state **by a judge who never met her,** never allowed her a day in court or her doctors to testify on her behalf. Threats, fines, taking of property, fabricated charges, injuries and evictions ensued with little to **no due process.**

Then Genevieve was taken from her home deliberately crippled when placed in a Nursing facility, **She was forced to lie in a reclined geri chair all day** and to sit for hours alone in her own waste. nursing home took Genevieve dentures. When Genevieve would try to sit up or move her body in the geri chair they heavily padded her in so **she could not move her body at all.**

She had to pay Carol J Hershey, **guardian, over a hundred dollars an hour to "supervise" the visits**- Daughter allowed twice a month for an only a few hours. Mary got her mother to her orthopedic doctor who wrote a Rx for physical therapy, guardian cancelled the therapy and Genevieve's cardiology appointments.

In November 2015 Genevieve was moved to Park Lane at Bellingham and things got worse, she was forced to sit for endless hours in a room with wheelchaired people just pushed into this room where they did nothing for hours. No one would talk to her.

She is not allowed her dentures and when she would try to feed herself she had her hands smacked away and she was forced to be spoon fed and drinks poured down her into her mouth. In December the staff tearing her toe nail off, then in January they fractured her leg and did not get her medical attention January 20, 2016. Genevieve spent three days in the hospital then a guardian employee showed up demanded Genevieve return to Park Lane.

Back at Park Lane they never addressed the fractured leg or the high blood pressure so Mary called the health Department again. Only a few days after Genevieve returned from being hospitalized the guardian wrote a letter stopping her daughter from seeing her. On January 27, 2016 Mary visited as usual and saw her mother slumped over in a wheelchair alone, the administrator told Mary laughing, " you are no longer a daughter you are now a trespasser." Backed by local police.

At the mere signing a piece of paper the guardian becomes the human owner, no background check, no license, no certification, no credentials, no college degree, no relationship with the owned person just an exparte phone call with a judge and this business owner takes the person's life from them and warehouses them and starts the billing of the estate. This is human trafficking and the family member who fights for their loved ones rights becomes a target for these predators.

The guardian for profit is the predator using the anointed position of power given by the court to fabricate reasons to liquidate the estate. Genevieve's guardian for profit targeted her daughter from the very start, most likely with the judges blessing. The guardian fabricated that she must "supervise" the daughter when visiting her mother billing Genevieve hundreds of dollars as she sits playing on her phone. No in the most inhumane act the guardian for profit threatened she will " make sure Mary NEVER SEES HER MOTHER ALIVE EVER AGAIN and it's now been 10 months since Genevieve has seen Mary. Her grief of losing her closest friend and daughter must be unbearable, I am her daughter and it has been a living torcher for me, guardianship is abuse, Isolation is abuse, lack of care is abuse and forcing someone to live in an environment of strangers where there is no LOVE is an abomination.

Kewal Chopra- Middlesex county NJ

THE NEXT FOUR YEARS, MR. CHOPRA WAS **GIVEN \$300.00 A MONTH** FOR FOOD. HE WAS **NOT ALLOWED TO SEE HIS CLOSE FRIENDS** AND WAS PREVENTED TO DO THE USUAL CHORES HE USED TO WHEN HE WAS NOT UNDER PUBLIC GUARDIANSHIP. **IT WAS A LIFE OF LONELY ISOLATION** AND HE VIRTUALLY **LIVED LIKE A PAUPER**. WHY?

ISOLATE, MEDICATE, STEAL THE ESTATE AND LIQUIDATE?

- IN THE BEGINNING OF 2005, KEWAL CHOPRA DONATED TO THE RUTGERS FOUNDATION, ONE OF HIS HOUSES VALUED \$240,000 IN EXCHANGE FOR MONTHLY ANNUITY \$2,000 A MONTH FOR LIFE AND HE MADE THEM BENEFICIARY OF HIS WILL ON ACCOUNT OF THAT.
- MR. CHOPRA MADE HIS ACCOUNTANT, THE EXECUTOR OF HIS WILL AND A SPECIAL POWER OF ATTORNEY FOR THE ACCOUNTANT AND YVONNE LE ROUGATEL.
- YVONNE DIED IN MID-2005. TO ENSURE THE WILL WOULD NOT BE CHANGED, THE ACCOUNTANT REPORTED MR. CHOPRA TO THE APS OF MIDDLESEX COUNTY AND CONSPIRED WITH THE ORGANIZED GROUP IN THE SYSTEM.
- MR. CHOPRA WAS DECLARED INCOMPETENT, WHEN IN TRUTH HE WAS NOT, BUT WAS MERELY OLD, AND WAS PUT UNDER GUARDIANSHIP. THE COURT RETAINED THE SERVICES OF THE ACCOUNTANT. WHO IMMEDIATELY SOLD \$69,000.00. OF MR. CHOPRA'S STOCKS. NOTE THAT SINCE HE WAS UNDER APS, THE FOUNDATION ONLY GAVE \$4,000.00 TO MR. CHOPRA'S ACCOUNT, AND THEN IT STOPPED. WHY?
- ON THE FIFTH YEAR, DOTTY SALMORIN, A CLOSE FRIEND WHO LIVES WITH MR. CHOPRA, WAS ASKED TO MOVE OUT AND WAS REPLACED WITH CAREGIVERS 24/7.
- ON THE FIFTH YEAR WITH THE CAREGIVERS, MR. CHOPRA'S BODY AND HEALTH DETERIORATED; HIS HOUSE WAS CLEANED OF HIS PERSONAL BELONGINGS. HE WAS GIVEN MEDICATION, WHENEVER HE ASKS TO SEE HIS PROPERTIES OR FRIENDS.
- HE WAS NOT ALLOWED TO EXERCISE AND WAS KEPT IN A DARK ROOM IN THE HOUSE WITH NO TV NOR RADIO. WHY KEPT MR. CHOPRA ISOLATED, AND IN SUCH DIRE CONDITIONS, FROM THE LIFE AND PEOPLE HE LOVED?
- IN FIVE YEARS, MORE THAN A MILLION DOLLAR DISAPPEARED WITH NO EXPLANATION. PROPERTIES WERE SOLD AT LOWBALL PRICES AND SERVICES WERE PAID TO THE MAX, WITH MINIMAL CARE.
- WHAT HAPPENED TO HIS ANNUITY WORTH \$236,000., HIS \$40,000 ANNUAL PENSION; HIS SAVINGS AND STOCKS WORTH \$300,000.00; THE PROCEEDS TO HIS PROPERTIES, WORTH A MILLION DOLLARS, SOLD POSTHASTE AND NEEDLESSLY.
- GIVEN THE SITUATION HE WAS MADE TO BEAR, MR. CHOPRA WAS VIRTUALLY SENTENCED TO DEATH FOR BEING A SENIOR CITIZEN, WITH LOTS OF MONEY AND ASSETS IN MILLIONS, BUT WITHOUT ANY OFFSPRING OR RELATIVE HERE IN AMERICA.
- NOBODY KNEW HOW AND WHEN MR. CHOPRA DIED.
- WHY? WAS THE BODY OF MR. CHOPRA CREMATED TO COVER UP THEIR THE CRIMINAL NEGLIGENCE HE WAS MADE TO SUFFER?
- WHAT A COINCIDENCE! THE LAWYER HIRED BY APS TO HAVE MR. CHOPRA DECLARED INCAPACITATED, WAS THE SAME PERSON LATER APPOINTED BY THE JUDGE ,WHO APPROVED TO SELL HIS PROPERTIES, TO BECOME THE COMMISSIONER OF THE OFFICE OF THE PUBLIC GUARDIAN. SHE WAS THE ONE WHO GAVE ORDERS NOT TO RESUSCITATE MR. CHOPRA IN CASE OF EMERGENCY. DOES MR. CHOPRA HAVE A LIVING WILL? WHO SIGNED IT? IS IT GENUINE?
- THE LIFE AND DEATH OF MR. CHOPRA WAS CRUEL AND UNLAWFUL UNDER THE OFFICE OF THE PUBLIC GUARDIAN OF NJ.

Dorothy Wilson- NY (Includes -6 part story by Jim Fargiano)

While this elderly woman, Dorothy, had some early dementia and knee problems,

she was still a vibrant, cognizant person. She had no interest in being displaced so that those two could have her money. Diane's family suggested she file for legal guardianship to protect her home and to protect her mother's life as well. It seemed to make an abundance of sense.

Diane had health care proxy and power of attorney. "I applied, not knowing how corrupt the courts were. My intentions were twofold; to prevent her house from being sold; to never put her in a nursing home."

"A reverse mortgage of \$275,000 was taken out against my mother's home in August, 2009. Judge Asarch stated, for the record, in open court, that this money, along with her monthly income of \$2300, would allow my mother to stay in her home with an aide for the next five years. By August, 2011, only two years later, the money was gone. Mary Giordano [**the Guardian**] had managed to spend more than \$350,000.

During the past three years, my mother and I were subjected to legal terror tactics. I have listed some of the things that happened during the past three years.

- **I was denied visitation for weeks at a time, based on false allegations**
- **My Mom was locked up against her will for 30 days in an assisted living facility, at a cost of \$53,000 to her.** No breakdown of the charges was ever provided by Mary Giordano despite my request for same. Mom was not allowed any phone contact or visits with her family for a period of two weeks. She was not allowed out of the building for Thanksgiving, shopping or even a cup of coffee. She was not allowed to attend her great-granddaughter's christening. When I was finally able to see her, I recorded her pleas to take her home. I gave her a cell phone which the guardian stole from her purse.
- Mom was locked up in her own home with an aide by the guardian and care manager during a number of weekends that she was supposed to be with her family, with no explanation.
- When Mom complained about the removal of an aide from her home that she had grown to love and who was her friend, Anne Recht, the care manager, threatened to call the police and have my Mom thrown in jail. There were two witnesses to these threats.
- Court conferences were called and held over and over again for minor issues which could have been resolved with one simple phone call.

On Monday, August 1, 2011 there was yet another court conference held so Judge Asarch made a decision to sell her home and force her to live in a nursing home although it was against her wishes, and despite the fact that I was able and willing to care for her in my home.

Mom was kidnapped from her home in Massapequa of 60 years on August 22, 2011 and imprisoned against her will in a nursing home by GDN. Mom did not commit any crimes.

On August 22, 2011, the guardian along with a caseworker, from Anne Recht's office, AMRecht Associates in Plainview, NY, went to my mother's house and told her they were taking her to the hospital for a problem she had with her recent surgery. That is the only reason she willingly got in the car. Instead, they took her to a sub-standard nursing home with substantiated reports of abuse and registered her there as a resident. This location isolated Mom from her family, friends and healthcare providers. Dorothy was less than two weeks away from the potential of finally regaining her freedom when she suddenly had a seizure while in the nursing home. Dorothy was very happy the day before when she was taken by her daughter, Diane, to see how great it would be to stay with her. The eyes of this eighty-seven-year old brightened when she was shown the renovated bathroom that would make things much easier for her. Imagine being excited by new plumbing? It certainly expresses how depressed she was while being

held against her will in a facility.

Dorthoy Driesen IOWA

Dorothy Driesen, a 96 year old widowed Mother, has had her entire estate taken away from her by court decree and **forced to reside** at a Rock Valley, IA **nursing home that has had multiple felony** accounts charged against it in 2003.

Judge Jeffrey A. Neary took our Mother into his chamber, asked her a few questions, had her read from a prepared statement and then fired both Dorothy and her sons as Trustees, appointed a bank to be her new Trustee, appointed a known adversarial guardian over her and accepted a purported amendment devising her entire Trust estate to the new guardian. **All of this happened within one days time** upon the filing of court documents by the wannabe guardian and friend of the court.

After this drastic and unbelievable event in the local district court, the two sons of our Mother have been falsely accused of various things and arrested and incarcerated on four separate occasions.

The truth of the matter is that there currently is no attorney from the NW corner of Iowa that will serve as an expert witness much less even **represent our Mother.** At present she remains without representation **in her deplorable condition.**

Our Mother has now reached the age of 96 years and regardless of the stress placed on her by denial of her civil rights per 42 USC Sec 1395i-3, IA Code 235F and IA SF 306, she remains in good physical and mental health. Jay has been in to see his Mother numerous times and is continually run out with threat of arrest made regardless of Jay's Mother expressing strong desire for him to continue with the visit. Previously, the nephew attorney of the guardian has sent a letter to Jay threatening arrest if Jay attempts to visit his Mother again

On April 19, 2014, a distant relative of our Mother stopped at the Rock Valley nursing home for a visit. Jay felt uneasy and within a period of time the visitor called Jay from the Sioux County, Iowa jail explaining the events and requesting someone to furnish bail for him in the morning.

Jacqueline Scott, my mother was forced into guardianship in October 2010 without due process, she never received notice from the sheriff's department for the hearing to determine her competency. Doctor Chan one of the evaluators did not examine my mother but determined she was incompetent, and was paid out of my mother's funds. The court appointed attorney Gretchen Elizabeth did nothing to help my mother.

Jacqueline was Baker Acted to get her out of **her house** which was then **sold** along with all her possessions, and **her little dog, Angelica** who she really loved. She was not asked if she wanted anything from her home and never returned to her own house.

She was forced into an assisted living facility where:

she was drugged all day long on Xanax 3 times day, 8 am, 12noon, 5 pm and also at 5 pm she was given Ambien. I have many pictures of her over-drugged, **I begged them not drug my mother**, their answer was **they did not want her to walk**.

For 3 1/2 years my mother never left the facility except for trips to the hospital, despite wanting to and being ambulatory. She sat all day long in a windowless room with nothing to do, no stimulation, and most times to drugged to do anything.

All my mother's money went to **the guardian 70.00 to 85.00 hourly, guardian's attorney 300.00 an hour** and the facility where she was held against her will 2,200.00, **nothing for my mother**.

The guardian never spent any of my mother's money on her, **no new clothes, shoes, no TV, no toiletries, nothing**.

My mother was basically housed, fed, drugged and left to deteriorate with no stimulation, no care whatsoever and die, which she did on August 19, 2015 from dehydration and no nourishment all per the guardian.

My mother's death came right before we were to have a hearing to ask for the removal of the guardian.

HEARING

before the
SPECIAL COMMITTEE ON AGING
UNITED STATES SENATE
ONE HUNDRED EIGHTH CONGRESS
FIRST SESSION

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STATEMENT OF ROBIN A. WARJONE, SEATTLE, WA

Ms. Warjone. Hi, everybody.

In May 2000, I was 56 years old with grown children 30, 31, and 26. I lived in my own home with a high yearly income of about \$140,000 and a vigorous investing program which included T-bills, IRAs, and a small portfolio.

I would have had \$7,000 minimum each month after I was 65. Now I will have less than \$2,000.

After my divorce, I left behind an exhausting life as a professional executive wife, and I stopped entertaining, gave up as much cooking and cleaning as I could possibly manage. I was living very happily in my messy house. I had a small antique shop in a large mall. I was gathering items for the shop, which I enjoyed, and that made for dozens of boxes around my house.

I had a new man friend. I remember how often the stars spread in all their glory across the night sky that winter. It was the happiest year I had had in 15 years.

Today, after being nearly destroyed by a financially and emotionally exhausting guardianship law suit which lasted almost 11 months, from May 18, 2000 until March 29, 2001, it cost me nearly all I had.

The first hint that trouble was coming in the spring of 2000, was when my lawyer completed revision of my revocable trust and phoned my three children to come in and sign it. They refused, saying, ``Our lawyers advised us against it,'' and ``our lawyers said it will make us responsible for your

debts.' 'Wow, I thought, pretty rotten financial advice. Full inheritance, without probate, is not such a bad deal.

On May 18, 2000, a ratty little man rang my doorbell and thrust a lawsuit into my hands. It was a Petition for Guardianship naming me as an 'alleged incapacitated person' and listing my three children as the plaintiffs. Of course, I was horrified.

I knew they had not read the statute, and they had not done their homework. They must have had some pretty ruthless lawyers urging them into this extreme, almost violent, action.

Later, the kids said things like: 'We did not want to have to take care of you when you were old.' One volunteered: 'I asked the lawyers how we could get control of our mother, and they said that that it wasn't possible except by one method--the Guardianship Suit.'

I call this the 'Capone Trick'--they could not get Al Capone on racketeering or murder or prohibition violations, they could get him by income tax evasion.

What does this tell you about the guardianship laws? Diane Armstrong's book, 'The Retirement Nightmare,' has plenty of horror stories about the 'backdoor' approach.

A court appointment was made for the Case Investigator, whom they call the 'G.A.L.' or 'guardian ad litem.' I did not get to be the defendant. I called the 'A.I.P.' alleged incapacitated person.

I hired a topnotch private law firm, because I had just learned that almost no one escapes a guardianship perhaps 6 percent, mostly those who have the time and money to resist.

Diane Armstrong and I went to college together. The day that the petition was served me, my Alumni Bulletin from Scripps College came, and Diane's book about contested guardianship was reviewed. I called her immediately and she worked with my attorneys throughout the almost one year that this system held me up.

If you have not looked at those graphics over there, really, really look now. This can happen to anyone in this room, and that is what you lose. This system is so corrupt--and I do not mean money-under-the-table corrupt the system has no checks and balances; it has no oversight. It is so terribly unorganized that it operates on its own, in a little void. In Seattle it is a department of the Washington State Superior Court, called 'Ex Parte and Probate,' and it is a law unto itself. We had no appeal system to get me out of it.

In my report, I have little checks, and there are dozens of them here--how disorganized and therefore abusive and corrupt, the system is, I have just gone through this. So take a minute and count those checks.

I do not think you are a person if your legal identity is taken away, which happens under this law. You do not exist under the law without your rights. If you do not exist under the law, you are a slave in ancient Rome or the Old South, or you are somebody in a concentration camp. You do not exist. Therefore, whether you are capacitated or incapacitated does not matter, because you can be abused either way.

When I got the attorneys, I said 'The first thing is that the G.A.L., guardian ad litem, cannot talk to me unless one of you guys is there.' I had the good sense to do that. The next day, the G.A.L. comes to my door and tried to get in; he was ignoring the injunction.

The G.A.L. had to read me the petition, the law, which had just been served to me. That is required in Washington State. We did it in my lawyers' offices. When he is through reading it, Pam leans forward and says, 'Well, tell me, Mr. W., how

are you going to go about this investigation? The sole decision on **whether you are going to have guardianship or not is based on a single report by this investigator--that is it.** There is one other thing, but it does not necessarily work.

OK. She leans forward and says, ``How are you going to go about this investigation?''

The G.A.L. is an attorney, but he answers, ``Well, by the nature of the report I have to write, I rely almost solely on hearsay and gossip for my information.'' Everybody's necks at

that table went, ``What? Did he just say hearsay and gossip? But he is an attorney, and this is supposed to be a legal matter!''

One of leading judges--and they call them ``commissioners''--they make nice language one of the commissioners sitting on a panel discussion recently said, ``We are not so much a court as a social agency.''' Wait a minute. You are not a social agency. You are a court.

According to the statute, you are supposed to be heard. There is a hearing 30 days after you are served the petition. Hopefully, a decision will be made. The G.A.L. canceled that meeting; he was busy. He did not even begin his research on me until August. His research eventually included talking to my accountant, my doctor, the trustee of my revocable trust--all those people. He did not even start until we were mostly through the summer.

I had good attorneys. By the middle of July, I have spent \$20,000. In July, I had to sell the first of my major investments. Twenty thousand dollars went to the attorneys, and the rest I used to buy a rental house in a nice neighborhood, I figured that financially, I could recover enough on the rental to make up for the interest income I lost by selling the T-bill.

My children urged the guardian ad litem and their attorneys, to ask for a special hearing to stop me from buying the house. My attorneys did a precedent search, which had to be done by hand, because the stuff was so old that it was not on the computer.

The Chairman. Robin, you are about 5 minutes over. If we could ask you to shape your time a little.

Ms. Warjone. I am so sorry. OK, I will.

The Chairman. Thank you.

Ms. Warjone. They found a precedent in 1852 which ruled that anyone who has not been convicted of a guardianship still has all their civil rights.

The trial went on in that fashion. The court abused every law, every custom. It is here if you want to read it; and I recommend Diane's book. So thanks, everybody.

The Chairman. Well, Robin, we do appreciate you being here, and I will have some questions, but I have to believe that you viewed that as a living nightmare.

We thank you very much for that testimony.