



EDUCATING SENIORS PROJECT

THE TRUSTS & ESTATES SECTION OF THE CALIFORNIA LAWYERS ASSOCIATION

BE CAUTIOUS ABOUT FREE SENIOR SEMINARS

Seniors need to know that presenters at seminars who are not licensed California attorneys are not experts in estate planning or government benefits eligibility. A non-attorney is prohibited from pretending to be an attorney or otherwise attempting to practice law. Business & Professions Code 6126.

Seniors everywhere are being invited to attend "free" seminars where they are often promised a free breakfast or lunch while supposedly learning about living trusts, probate, and government benefits eligibility. Many of these free senior seminars are scams, put on by persons masquerading as attorneys. The scams offering living trusts are often referred to as "Trust Mills," because they churn out trust documents like a paper "mill" turns out paper. These Trust Mills frequently mass produce trust documents and powers of attorney documents that are poorly drafted, unsuitable for the senior's particular circumstances, fail to satisfy senior's planning goals, and unnecessarily expose the senior to potential financial abuse by the designated trustee or agent.

Trust Mill presentations are typically held at senior centers, retirement communities, and churches, or other places where seniors gather. Most presenters at Trust Mills are either insurance agents or salespersons. Seldom are the presenters actual attorneys. The non-attorney presenters claim to be knowledgeable on legal matters and experts on estate planning but they are not. In fact, these presenters may be illegally practicing law without a license. They may trick the senior into believing that they can be trusted to gain access to the senior's financial information and documents. Once the presenter has gained the senior's trust, the presenter is in a position to take advantage of the senior. In the end, the senior may end up purchasing unsuitable financial products like annuities, life insurance and reverse mortgages, or giving away assets to qualify for government benefits. Depending on the situation, these actions targeting seniors may be constitute criminal or civil financial elder abuse, or both.