

# Elder Abuse Protection Court Project

## Swift Court Action to Stop Abuse

As the elderly population grows, so does the problem of physical, emotional, or financial abuse of elders. It is not uncommon for people serving as caregivers—often the elder’s own adult children—to abuse the vulnerable person in their charge.

In the courts, elders can obtain restraining orders, stay-away orders, and residence exclusions against anyone who is abusing them. But they may be reluctant to do so because the abuser is often their caregiver and, thus, in their eyes, the only person who helps them. Elders may also feel impeded by health problems; impairment to vision, hearing, or mobility; lack of reading skills or English fluency; limited access to transportation; or lack of funds to hire a lawyer. Elders who aren’t computer literate have trouble using Web-based legal aids for self-represented litigants.

In 2002, the [Superior Court of Alameda County](#) created the Elder Abuse Protection Court Project, a court calendar dedicated to elder abuse cases. The separate calendar offers elders a shorter wait time in the courtroom and more privacy for public hearings dealing with very personal matters. The calendar is heard weekly at each of four courthouses (to be closer to the petitioners’ homes) starting late in the morning (to give seniors more time to travel to court).

Collaboration with community agencies is the cornerstone of the project’s success. Funded by a Judicial Council grant, the project comprises judicial officers, an elder abuse case manager, a clinical supervisor, administrative staff, and filing and courtroom clerks, who offer

- Direct assistance to elders in navigating a court system that seems complex and intimidating to them.
- Coordination with various court personnel and programs to identify possible elder abuse when cases are filed and to help elders apply for protection.
- Efficient processing of elders’ petitions for civil restraining orders.
- Links with legal and social agencies that can help elders and follow up on abuse cases.
- New protocols for investigating, tracking, and recording criminal information on parties, as required by statute.

## Outreach

An Elder Access Steering Committee collaborates vigorously with public and nonprofit organizations, such as [Adult Protective Services](#), the district attorney’s Victim Witness Program, and legal aid and pro bono attorneys. Project staff members have

- Conducted a symposium on court access for elders that drew more than 140 community participants.
- Made presentations to more than 30 community agencies and senior centers to tell elders about their legal rights and resources.
- Used radio interviews and press releases to publicize the project.

## Impacts

- In two years, the project provided case management to more than 330 abused elders. Most were low income and self-represented; 40 percent were male; most alleged abusers were family members.
- Now, fewer elder abuse cases are filed incorrectly as either domestic violence or civil harassment cases.
- More than 20 police and sheriff departments now have Elder Abuse Law Enforcement Liaisons.

### Elder Abuse Case Managers Make a Difference

“Elder abuse cases typically involve complicated facts with subtle nuances that older litigants may have difficulty conveying. With the Elder Abuse Case Manager available in the courtroom, I am much more likely to be aware of . . . essential [facts to make] helpful and appropriate [orders].” —Fremont Hall of Justice commissioner

“The project has tremendously improved our agency’s efficiency and effectiveness in serving our elderly clients who are victims of abuse.” —Supervising attorney, Legal Assistance for Seniors



Superior Court of Alameda County Judge Julie Conger listens to the presentation of the facts in an elder abuse case. The number of elder abuse filings continues to grow each month.

**Superior Court of Alameda County, 1221 Oak Street, Suite 260, Oakland, CA 94612**

**Project contact: Susan Hanks, Ph.D., Bureau Chief, Families and Children’s Bureau,  
510-272-6028, [familiesandchildrensbureau@alameda.courts.ca.gov](mailto:familiesandchildrensbureau@alameda.courts.ca.gov)**