

Opening Statement of Senator Herb Kohl
September 7, 2006
Special Committee on Aging Hearing
“Exploitation of Seniors: America’s Ailing Guardianship System”

Thank you, Mr. Chairman, for holding today’s hearing. We welcome our witnesses and look forward to their testimony.

Guardianship is an important way to care for seniors who, for a variety of reasons, are unable to take care of themselves. There are many examples of friends and family members that take on this enormous responsibility and provide great care. However, the number of guardianship abuse cases is growing steadily.

The Brooke Astor case is the one in the newspapers today, but sadly, it is not an isolated incident. We have heard appalling stories of guardians stealing seniors’ hard-earned savings and neglecting their health care needs. Our court systems do not provide enough oversight of these cases, which allows abusive guardians to avoid detection and prosecution. We are glad to hear from today’s witnesses who are working hard to end these abuses.

Many states have acted to protect the wards of guardianships. My state of Wisconsin recently passed a law that will better protect the rights of seniors placed in guardianships. It toughens up the standards used to evaluate potential guardians, as well as the standards for removing abusive guardians.

Like Senator Smith, I am also pleased to be an original co-sponsor of the Elder Justice Act. This bill provides research and data collection on guardianship systems, and will lead to the development of better standards and best practices. We hope this important legislation will pass this year.

I look forward to hearing from our panels and the recommendations they will make to improve guardianship systems. Again, thank you, Mr. Chairman, for holding this important hearing.