

Good Morning. I am with GRADE in Arlington, Texas. I am here today for my mother; Nora Frances Roberts Estill who has been declared incapacitated by APS and the Tarrant County Probate system, and who could not be here today to tell her story.

In 2013, at age 81, my Dad died suddenly. After my dad's death, my mom had an appointment with my Dad's physician (Physician Statement #1). Because of my Mom's heart condition and the stress of my Dad's passing, the doctor suggested that she needed time in the hospital to rest for a few days. After the first night, she started feeling better. However, on the second day, the doctor came in asking lots of questions. His lack of bedside manner upset my Mom. He wanted her to go from the hospital to a facility then rather than going home. My Mom objected. I told him that we had made arrangements with family and friends to take care of her. This is when my experience with APS started.

Several months later, I was at Mom's home, when a lady drove up. She identified herself as being from Adult Protective Services, and she needed to speak with my mom. She said she had been sent because of a concern/complaint about my Mom's health, but she declined to say who the complaint came from. However, we were quite sure we knew the source. She started asking my Mom questions. I found that the APS worker was not open to any questions, and seemed threatened by them. You can

imagine how puzzled we were. I asked a neighbor, who is a police officer with Fort Worth Police Department to come over and be a witness to this meeting. He knew my family well and had helped my parents for years.

The APS worker told us that Mom **MUST** have a checkup by a doctor by the next Monday. This was Friday pm, and there was no chance to get her into see someone that quickly. The officer inquired if it would be possible for us to have a few more days. The APS worker went into my mom's garage and made a call (seemingly to her office or to the physician). When she returned, she refused to give any extra time stating "Monday was the last day and if we could not get it done by then, APS would come and remove my Mom from her home, and put her where they deemed a good place for her". It seemed a foregone conclusion that things would **ONLY** be done a certain way, and there would be no investigation. The emphasis should have been on what was best for my mother and what we as her family could do to help her. This was not the scene at all. It was going to be the APS way or nothing.

My Mom became very upset. We continued to plead for an extra day. It was not going to happen. The APS worker left her card and told me to call her when I got the appointment. I frantically looked for a doctor that might see my Mom quickly. With the help of a good friend, I was able to get her into see one on Monday. I informed APS by phone about the appointment.

APS said they would fax the physician the appropriate forms that needed to be filled out and returned.

On Monday, I took my Mom to see the new physician (Physician Statement #2), not knowing his close ties with the hospital doctor. He examined my Mom, asking her some general questions (the date, her name, who was the president, etc.) and she did ok. He did state that she seemed to have some mild memory loss, but after all she was 83 years old, it was to be expected. He checked her meds and examined her some more. He did not see any threat of my Mom being at home by herself. He did suggest that she limit her driving to short distances and she agreed. He released us and said he would fill out the forms and send them to APS.

A week or so later, I received an early morning phone call from this doctor. He had been informed by the hospital physician and APS that his report was not acceptable, and he needed to start home healthcare for my Mom immediately. He did so without objection. All Star Home Healthcare came every Wednesday at 4:00pm.

During this time and until October 2013, we did home healthcare. I was coming over every day checking her BP and pulse (as taught by the nurse) and her meds. No tests, MRI or appointments to see a certified Neurologist were ever made for my Mom to confirm that there was anything wrong with her such as Dementia or Alzheimer's. She is currently being held

against her will at the Bethesda Assisted Living Facility, and has had all her civil rights taken away.

On October 10, 2013, a Tarrant County Constable showed up at my Mom's home. He said that he was here to serve notice for my mom to appear in court (Documents attached). It was not long before my Mom was in court, with a court appointed attorney, not one retained by her. My Mom had already been judged by APS and the Probate Court system. Temporary Guardianship and then Permanent Guardianship was given to my brother.

To make a long story short, I am not allowed to see my mom even though I know it is her desire to see me as I am her daughter.

Members of this committee, you have asked for suggestions on how to fix the problem of APS, here are my suggestions.

*Number 1: Clean house... if the VA can do it, you can too. The people you bring in need to be given extensive training and retraining, and explicit rules to follow, Let them know they are not to overstep their bounds or there will be consequences.

**Number 2: There is ample evidence that there are too many dirty dealings between the courts, APS, judges, attorneys, bankers, and guardians to take away the estates of the elderly and divide it up among themselves...lining their pockets. The

estate becomes completely unprotected - as the only protector is the judge who appointed the guardian. Most attorneys are found to be contributing to judges' campaigns. This is what they must do to be allowed to try cases in their courts, and many of these judges often run unopposed! These judges are ignoring State Laws and going as far as making up their own.....case in point, using the statement of a GP instead of one by a certified Neurologist or one certified in geriatric psychiatry.

***Number 3: APS needs to have the ability to investigate each case independent of the courts obtaining all the facts then presenting their findings to the court.

****Number 4: The state needs to strengthen and possibly change the process of investigating judges' conflict of interest in all cases.

This could be your fate someday. People nowadays are afraid to use State Agencies, because they are afraid of being taken advantage of, or watching it happen to someone they love. Would you want your loved ones to go through this? I hope not. Unfortunately, it is happening, and not just in Texas, but all over the Country. Laws don't mean anything unless they are enforced.

The injustice needs to **STOP!** We are talking about our mothers, fathers, sisters, brothers, sons, daughters and others who helped make this country what it is, and we are going to stand by and let them be treated like this? If so,

then it makes me ashamed to be an American and a native Texan.

Thank you for your time .