

Commission to Study the Administration of Guardianships in Nevada's Courts

August 17, 2015, Public Comment Verbatim

Lora Myles: Good morning. We have presented the Commission with a breakdown of all the Public Guardian's cases and caseload for each county, the names of public guardians; their budget, how much they receive in fees, and other information regarding the public guardians. These are very different from private professional guardians and family guardians and so we thought this would be helpful in looking at public guardians and their role in guardianship.

Chief Judge Michael Gibbons: Could you state your name for the record and who you are representing.

Lora Myles: My name is Lora Myles and I am with the Carson Rural Elder Law Program and I work with the public guardians in the rural counties.

Chief Judge Michael Gibbons: I see this sheet is here in Carson, does anyone else have it? It is two-sided.

Lora Myles: We sent copies down to Kathleen Buchanan, I do not know if she has copies available down in Las Vegas or not, but we will also email a copy to anyone else who requests.

Chief Justice James Hardesty: We will get it distributed, I do not think we have it distributed in Vegas; do you have it in Reno?

Ms. Stephanie Heying: No, I did not receive a copy. Could you send that to me and then I will make sure it goes out to all the Commission members. This is Stephanie Heying, sorry. Thank you.

Lora Myles: Yeah, we can do that.

Chief Justice Hardesty: Okay, any additional comment Lora? Thank you for being here today. Any other comment in Carson City? Judge Gibbons?

Chief Judge Gibbons: No one else.

Chief Justice Hardesty: Any comment in Elko, Judge Porter?

Judge Nancy Porter: No, I am the only one here.

Chief Justice Hardesty: Alright, then, in Las Vegas, who would like to offer public comment in Las Vegas? Yes, sir, would you like to come up to the podium there. And again, for those of you in Las Vegas, if you are going to be speaking about a specific case and you can provide us with a case number, please do so. If it involves a sitting judge we want to allow the judge to excuse herself or himself during that public comment presentation. Would you state your name sir?

Thomas Gaule: Thomas Gaule.

Chief Justice Hardesty: Go ahead sir.

Thomas Gaule: This is my mother, Anna Marie Guale and this is the care that she got under Jared Shafer, public guardian. She died under his care. What had happened in my mom's case is, one morning my mom went to visit an oriental hair dresser in the neighborhood and all I know about her was that she was dating a government agent. Police somehow grabbed my mother and kidnapped her, just like they were a gang. They said that I had locked her out of the house but it was not possible because she had her keys in her purse, it was just an excuse for the police to break into our house, as they did many times, and every time the cops or the police ever went into our houses, valuable things were missing. Secretly Shafer sent my mom to Pahrump, which was unlawful because it was another jurisdiction. I did not see her for six months and it was in family court where the papers, supposedly signed with her signature but were forged, and she was now a ward of the state. Shafer's attorney, Patricia Trent, agenda was starting up and she would tell me that I should remember that we have your mother, as a threat. I really did not know what I would be up against and I knew that the court did not have jurisdiction over her, there was very little I could do. I did know that there was some major problems there. They had locked up all of our money in a trust and I could not pay for attorneys. They had my mother, I was trying to help her, and they had put her in an unmarked home with about ten other wards and she was doped up with psychotropic poisons like; Paxil, Effexor and other such drugs with side effects like sudden death syndrome by Dr. Death. They also gave her Dilantin, which my mom was not an epileptic and I found out later that Dilantin was used in clinical tests to induce seizures in normal people. I found at that time that there are about 2,500 ward base with Public Guardian's Office with about 3,500 new ones each month. So it was about 3,500 people died every month and there is 2,500 of them kind of as a base.

Chief Justice Hardesty: I'm going to have to ask that you wrap up your statement if you would, please.

Thomas Gaule: I'm not even half way through.

Chief Justice Hardesty: You will have to supplement it with a written comment, if you would.

Thomas Gaule: Okay. The average life span, I figured, was about two weeks and that's about 3,500 times the 35 years that Jared Shafer ruled there, for about 420 months, which times 3500 dead people equaling 1 million, four hundred and seventy thousand people, murdered. They were freezing the bodies and stacking them up in freezers in the northwest part of town. It was a basic genocide of white, rich people. Poor people do not get guardianships. The total is basically the total assimilation of the city of Las Vegas being replaced by communist infiltrators. The family court justices are like a cartel of death where the honor is delegated and elder exploitation is for hire. The attorneys seek money doing nothing but take your money and with the other side, paying them also to sell you out.

Chief Justice Hardesty: Okay, Mr. Gaule, I'm going to have to ask you to conclude your remarks, thank you.

Thomas Gaule: Okay, I'm halfway through it.

Chief Justice Hardesty: Alright, anyone else who would like to make public comment in Las Vegas today? Yes, sir.

Jeffrey Grinel: Hello, my name is Jeffrey Grinel. I came today specifically to speak about oversight of the guardianship system. And what I wanted to speak about, the other day I woke up and I had a cold sore on my lip and I put on a medication that looked just like the one that I had always bought, but it was right next to it, a little bit less expensive, and it just did not work. It was bad medicine. That is what is going on with the guardianship system here with oversight. We use by the NRS 159; the Center for Guardianship Certification. This is an organization that is in Harrisburg, Pennsylvania, all the way across the country, it makes absolutely no sense. The closest I could find to what a guardian does when it comes to their ability to work is probably a notary public. Here in the state of Nevada a notary public is absolutely, their oversight is here in the state, that is something that cannot even abuse as much as the guardians here. My point being is, it is definitely bad medicine. Why do we not have local oversight here? The Center for Guardianship Certification is a small body, like I said, in Harrisburg, Pennsylvania. Half the room probably will not be able to point to Harrisburg, Pennsylvania on a map. What does it have to do with the state of Nevada? The answer is absolutely nothing. And so I encourage you, the state of California, right next to us, it has a population much greater than ours, they have, underneath their Supreme Courts the oversight committee for guardians. There is no reason why the state of Nevada cannot have a system set up in place where the Supreme Court has some overlook and oversight over the guardians. It makes no sense that we don't. We have to change that rule in the NRS, we have to get rid of the CGC, there's no reason why we should have anything to do with them. They call themselves a national body and I think they actually work in maybe eight states total. So what we need to do is have a certification system right here in the state, underneath the Supreme Court that is watching over the oversight of the guardian system, making sure that obviously, the people that have been taking advantage, this will stop now. It's the only thing that makes sense. I am a person of Jewish faith. In the Old Testament we are taught about the story of David and Goliath and this big mess that we call the guardianship, I consider Goliath right now and these fine people that are fighting for their rights are the David's. And I say keep slinging those stones and I ask the people here and I ask my friend, Liz Indig, keep slinging those stones and I ask the Black's to keep slinging those stones, and I ask Rana Goodman to keep slinging those stones because the seniors in our state are being taken advantage of and it cannot continue to happen. So I say to all the good people in this state, you keep slinging those stones at the people like Jared Shafer and April Parks and the people that have been in business with this gentleman and the people that are on this Committee here that have been in business with Jared Shafer. Repent.

Chief Justice Hardesty: I think we have your comments, thank you.

Jeffrey Grinel: Thank you.

Chief Justice Hardesty: Anyone else who would like to make public comment today? Yes, ma'am.

Ellen Brems: We had Judge Jon Norheim as our judge.

Chief Justice Hardesty: Could you state your name ma'am?

Ellen Brems: My name is Ellen Brems.

Chief Justice Hardesty: Thank you.

Ellen Brems: My sister in North Carolina sued us for guardianship and I had my mother (33:52 inaudible) for five years, a total of twenty years I have taken care of them and they chose to live with me because of certain issues with my sister. I had my mother, Esther Dye (sp) and my aunt, Etta Hollow (sp) with me. I have turned the case numbers in to a gentleman that Mr. Sisilack (sp) told me that I should do and they were going to do some investigating. We've lost a total of half a million dollars on this case between the three of us. We, all three, were being billed and it was under my understanding that since I was going to be the guardian I was the only one that was to be paid, to be paying out. At one of the hearings I stood up and I asked Judge Jon Norheim why it said 7900 dollars on my court papers and he told me to shut my mouth and sit down. Well, I understand now, he had been fired from guardianship but now he is doing something else. What I'm angry about is that it continues to go on with other families. I have a friend in my neighborhood and her name is Mrs. Hartunian (sp), I don't know if anybody has heard about this. She has been locked away, I know her, my neighbors and I have been watching out for her, she is 91. Her husband was the scientist who worked for the space agency, NASA, to get the first space ship to the moon, before the Russians, she is worth multi-millions of dollars. She had an attorney and she also had some caregivers coming into her home. She is Italian and she does have a temper and she's an elderly lady, but she was doing fine. Well, there was a little incident with one of the caregivers, the caregivers reported her, so all of the sudden the county came in and when the county came in, this attorney decided that he would become her guardian. He locked her up at Saint Rose Siena, in the psych ward, she has been there since February and it breaks my heart because none of us can see her. She is going to die there. We got her a passport, we got her everything to go to Italy, that's where all her family is, she didn't have no children, she has nieces and nephews, all of her family is there, that was her intention of going there. Her house is full of things from traveling around the world, both her and her husband, that's where she wants to go, but instead this attorney by the name of Robert Ensara (sp), he is with the Professional Estate Administration, has taken over everything. She had an attorney, he fired him, he came in and he says "you are not having anything to do with her estate, I'm taking over." She lives five houses from me in the Anthem Country Club. He's boarded up her house, I see him coming and going with his little list, coming out and smiling of all the inventory, he's going to sell off everything and he's going to take the money and I'm sick of it. What can we do? It's wrong, it's wrong. She's in the mental ward at Saint Rose Siena and it's wrong. And this is what's going on here. We need to go higher up, Clark County is not doing anything, the people here are not doing anything. The man that took my numbers and was supposed to do an investigation has never called me back. It has to go higher up. I don't know if the FBI, the federal government, or who has to do it. I mean, I wanted to write to Bill O'Reilly, I can't get through to him, but he would be a good one to get it exposed because this is horrendous. I mean, these attorneys are just grabbing these people that have money and they're taking all their money and Mrs. Hartunian (sp) was such a nice lady. And the lady that lived up the street from her works for Bank of America and she was helping her, but it just so happened that Mrs. Hartunian's account was with Bank of America and then he said that he was going to get her fired from the bank because he said "I'm going to prove that you're comingling your money", she would never do that. And then the post lady, the mail lady, if she didn't pick up her mail, went to the door, knocked on the door, make sure she was okay; he was going to get her fired from the post office. I'm a real estate agent and

I'm an independent contractor, he can't hurt me. I'm writing a letter to the paper about him because, you know, something's got to be done; she's been in there since February.

Chief Justice Hardesty: Okay, thanks for your comments.

Ellen Brems: So what can we do?

Chief Justice Hardesty: The Commission is not in a position to adjudicate individual cases. That's not...

Ellen Brems: No, they're not going to do anything.

Chief Justice Hardesty: Well, there may be a difference of opinion about that. The Commission is going to make recommendations to try to assess this system, the individual cases we do not have jurisdiction to adjudicate or resolve individual cases.

Ellen Brems: The mess.

Chief Justice Hardesty: But that does not mean that the information that's offered to the Commission doesn't provide a basis for some suggestions and recommendations for changes to the system. I don't want to tell you I can't legally, as an example, as a judge, tell you or advise you what is an appropriate, legal step to take.

Ellen Brems: They're all crooks; they're just a bunch of crooks out there, taking money from people.

Chief Justice Hardesty: That is your opinion and you're certainly entitled to your opinion.

Ellen Brems: It's the truth. It is the truth. They took money from me. You know...my attorney...

Chief Justice Hardesty: Ms. Brems, this is a public comment section, I appreciate your remarks...

Ellen Brems: I'm telling the truth.

Chief Justice Hardesty: ...they are part of the record. Thank you very much. I want to allow somebody else the opportunity to speak. Thank you.

Ellen Brems: Okay, okay.

Julie Belshe: This is my father, Rudy North, and it's pertaining to case number: G-13039132, my mother Rennie (sp) North. My father's case is G-13039133, Rudy North.

Rudy North: One day I was in my little house I heard knocking, it was the people from the hospice, they came in and they sat down and I said "why are you here" and they said "we're here because we have to do your vitals" and that was a common situation, we had no problem, my wife and I, to let them do our vitals. And then we heard again knocking, and there was a man and a woman, the woman was April Parks. She was dressed appropriately; she had on a beige dress and black boots. And the boots looked like Jack boots, from the Nazi's. There was nothing different here, I didn't know at the time, when I ask her to identify herself she said she was an officer of your court. I thought that perhaps she was a lawyer

and she was an officer of the court, she was neither. I ask her for the court, whatever they had, if I may see it and she said yes, she'll have it in two hours. It took me two weeks to see the finding from the court; it never was given to me. We were given three alternatives; one, go to jail or prison, two, go to a psychiatric ward, or three, go to an assisted living facility. I had no idea what that meant, I thought in terms of a rest home. It was a rest home; it was a rest home for you to die. Your food was always cold, your medicine was always late, they didn't care, they could care less. My wife has CLL, Chronic Leukemia Lymphoma. I took care of her for 20 years, there was a scathing letter written about me, that I could no longer take care of her. I've read over one thousand books in my life, I read all the time. I was given a test and they said "you failed" and then I went to a scientist from UNLV and he said I passed very highly. I will tell you this, they are not in any way...they don't have any fiduciary responsibility. I used to be in the banking business, I traveled for 30 years, international. I've been in the Cayman's, I've been in Luxembourg, I've been in these places, I know what's going on, we know what's going on. These are pass throughs that's all they are. They are liquidators, they come in and they liquidate your assets, but the shame of it all is we allow it to happen. (Inaudible 44:07) I don't even remember his name; I have to dismiss it because I am so ashamed. He comes and he says "I've been doing this for 35 years" that was at the last meeting. And then I found out that, here we are, we are in the 21st century. These laws or protocol was written in the 20th century, it's passé, it doesn't belong. It has to be changed. I hope that what I see here is not just another layer, please don't make it another layer Judge Hardesty. Please work hard on this. You'll hear horrendous stories, terrible stories, I'll end if I may. May I have another 30 seconds?

Chief Justice Hardesty: Yes, sir.

Rudy North: Thank you. The thing that interests me most is words. I was so interested in this that when somebody said to me that we now have a life and death situation, this was said to me in the home, and I said "what does life and death situation mean?" and they said "Rudy, you can die here, people die" and I came down and people did, they died. They died. And they would come to me, (45:38), "help me Rudy, I'm going to lose my home" do this, do that. I went to UCLA for a little bit of law, and help me. I said "fine, I will try my best." I tried my best, she died first. Her son lost the home. And so that's what I'm saying, liquidating. But live or die, I take live, l-i-v-e and I turn it around and I have evil, e-v-i-l. And then I turn around and I look and I say "my God, it's evil" and then I look and I say, we are talking past tense here, lived, I turn it around and I have devil. This is terrible. This is what we are dealing with. Nevada must change this. I know we're not aware of the total amount of people involved. What I read in the RJ was 8600 people. If it was true, the 8600 and you take the demographics of today, you're talking about six times 8600 because I'm talking about families. For example, my daughter, her husband, and the children, and by the way the children are affected by this, don't think they're not. And so you look at it and you say my God, this could be as much as 50,000 people are affected by this. 50,000. And here we are, Nevada, I mean, my God in heaven, they do everything in the world, as you know, to advertise and how wonderful Nevada is. There's 50,000 potential people out there who are being liquidated every day, physically, mentally, and all the rest. Thank you so much for allowing me to speak.

Chief Justice Hardesty: Of course. Thanks for being here.

Steve Miller: Good afternoon Commission. My name is Steve Miller, I'm a journalist, prior to that I was a city councilman here. I was the chairman emeritus of Goodwill Industries for the state, I was also president emeritus of Opportunity Village: Las Vegas' Favorite Charity. I've had opportunities over these years to come across individuals who are in guardianship. As a journalist, I first began my quest to try to help individuals when Mr. Gaule came to me and told me that his mom had been brutally beaten. Those photos, I took. Tried to present them to Judge Voy, we were not allowed. I was an eye witness at that time to the fact that this lady had not fallen down as Mr. Shafer had stated. This is a beating. I visited her twice in a rest home. Mr. Gaule was told "don't bring him back, don't take any more pictures". They moved the mom out to Pahrump. Thomas doesn't have a car. The judge did nothing, he didn't listen to me or the other eye witness who was a recently retired Federal Bureau of Investigation special agent. Mr. Gaule had brought us there because he said "both of you are a legitimate individuals here", they will listen. Judge Voy wouldn't allow us to proceed. That was the first case that I wrote about on the front page of a local newspaper, took me another 13 years or so before the second case came up, that was of this wonderful man, Guadalupe Mayna Olvera, he passed away last July in Santa Cruz, California. This gentleman served eight years during World War II, he had severe physical disabilities but he had a mind like a steel trap. He was able to handle his own affairs but he was unfortunately, and I'll say that again, unfortunately, a multi-millionaire and he became a target for Jared Shafer. His family hired Elyse Tyrell to try to gain permanent guardianship for the help of their dad.

Stephanie Heying: Justice Hardesty, we're not getting any sound.

Chief Justice Hardesty: Mr. Miller do you mind concluding your remarks, even though Reno is not currently connected?

Steve Miller: I'll be happy to, thank you.

Chief Justice Hardesty: Thank you.

Steve Miller: Thank you.

Chief Justice Hardesty: Why don't you start over in talking about Guadalupe?

Steve Miller: Yes. I'm honored to have known this gentleman, his name was Guadalupe Mayna Olvera, he died last July, he was 95 years old, he was in the custody of Jared Shafer up until his 90th birthday. Against court wishes, against Commissioner Norheim's wishes, his family liberated him from a very abusive and a very expensive, court ordered guardianship which drained, I should say bled, using the words of Jon Norheim, Mr. Olvera's account of \$430,000 for legal fees, including some to Elyse. Other ridiculous fees that Mr. Shafer took, \$430,000 total was taken from the gentleman's trust account over at Wells Fargo trust. He ordered his family to get him out of here and they took him back and Judge Hoskin went ahead and signed an arrest warrant for his, this being Mr. Olvera's only child, Becky Olvera Schultz, who did help her dad to leave upon his wishes. They had to, in California, hire attorneys to fight off, again, Shafer who went to California to try to get Mr. Olvera returned, spending over one hundred thousand dollars from his trust at Wells Fargo in legal fees, against his own family and against his own wishes. In the meantime, Mr. Olvera was preparing a federal law suit with attorneys hired out of Las

Vegas but through friends of his in the V.A. and other places in California, against Mr. Shafer, Mr. Shafer's company, Professional Fiduciary Services of Nevada, Wells Fargo Bank, trust department and others, which is currently in Judge Navarro's court here in our federal system. It's proceeding rapidly. This gentleman is my reason for being here, along with Mrs. Gaule, what happened to her son, Mr. North, Elizabeth Indig and a number of others; they are being bilked, they're being robbed. I'm thrilled at the formation of your Commission, excluding at least two members that I mentioned earlier. You have the opportunity now to bring forward, not only to our state through our media that has been covering this diligently, but through national media who are here this afternoon. A horrible scam, that I think we are the poster boy or girl for, right here in southern Nevada. I think it was formulated by and taught by individuals whom I've named recently, in the last few minutes, it's perpetrated itself across the United States, it's happening in Florida; it's happening in New York, it's happening in Sun Belt cities. People retire thinking they are going to be safe, and they end up in Las Vegas and they've learned, many of them have so far learned, that they made a big mistake. I thank you all for your time, all half hour of it, and wish you Godspeed.

Chief Justice Hardesty: Thank you Mr. Miller. We obviously still have a technical difficulty in Reno being able to connect, but would anybody else like to make a comment? Yes, ma'am.

Terri Black: Hello, my name is Terri Black and I'm from Charlotte, North Carolina. I am the daughter and the only child of guardianship victim, Delford Mencarelli, deceased July 3rd. The last time my husband and I saw my father alive was June 26, 2015 during a visit with him, in which we were chaperoned by his guardian in her home. My memory of that last visit ends with having the door slammed in our faces, by the guardian, on our way out of the house as she shouted in anger at my father about us, as he, no doubt, sat confused and helpless in his wheelchair. For the last two years I have been, and continue to be, entrapped in and consumed by the broken guardianship court here in Clark County, Nevada; I have experienced firsthand its failure to honor the plans my father laid out long ago regarding his care, if he was no longer able to care for himself and to protect his financial estate. To refer to the Guardianship Court of Clark County as family court is an oxymoron; there has been nothing family about my family's experience within its walls. I was raised in a close-knit Italian family, surrounded by loving and supportive parents who instilled in me the values of being truthful, understanding right from wrong, doing my best, standing up for myself and protecting those unable to defend themselves. Following my mother's death in 1981 the already deep bond between my father and I only grew. At age 20 I became the person that he entrusted with the most important, personal details of his life and it remained that way throughout our lives. There was never any question that I would care for him if he could no longer care for himself. He was proactive, adding me as a joint account holder on all of his bank accounts as well as a beneficiary over 15 years ago. And, as the administrator of his estate, he ensured I knew and had it in writing, that I was the person he trusted to carry out his wishes and protect him. My father's directives and our rights under NRS 159 were denied. Order of priority was given no wait, even to the extent that the temporary guardian I had interviewed and chosen as my co-guardian, due to being a non-resident, was rejected by Commissioner Norheim; instead he chose Ms. Denise Comastro, an absolute stranger to me, who just happened to be sitting in the gallery that day, to assume the role as temporary guardian of my father. At the conclusion of a one month trial and the expiration of the temporary guardianship which lasted a year, Commissioner Norheim granted full guardianship of my father to the opposing petitioner, a woman not married to my father, as defined in NRS 122, and who my father never put on any of his financial or estate plans for the 30 years that he knew her, as their assets were completely segregated. At the time of the guardianship appointment in July 2014

Commissioner Norheim was well aware, through petitions filed in court, that Elder Protective Services had completed their investigation of his appointee and filed a law enforcement referral to Las Vegas Metro Police Department, which ultimately resulted in a felony fraud indictment against her. Laws defined within NRS, my father's desires, together with sound evidence presented to the court should have caused my petitionary hearing on August 28th, 2013 to have last no more than 20 minutes, thereby granting me the ability to become my father's co-guardian and to care for him as I'd always intended. Instead, this nightmare has cost us two years plus, of the litigation, over seven hundred thousand dollars wasted, of my father's and my family's estate, all to be enjoyed by the parties involved in this broken process. Most importantly, lost privacy and time with my father in his final years are moments I will never get back. In closing, I've read Judge Doherty's comments from the last Guardianship Reform Commission meeting and I call attention to her three top priorities related to guardianship; protection of the civil rights of the ward, protection of the estate of the ward, and protection of family. If this Commission can see to it that these three principles are defended, then perhaps it will be a start to ensure that my nightmare will never be repeated. Thank you.

Chief Justice Hardesty: Okay Ms. Black. Anyone else who would like to offer public comment? Yes ma'am.

Shelly Khron: Good afternoon. My name is Shelly Khron and I am an attorney here in Las Vegas. I've been practicing for over 20 years, about the last 15 in guardianship and probate court. I have seen through my own eyes good things and bad things happen in guardianship court. We have very good professional guardians, both private and public, and we've had bad ones, both public and private. Tragically, that's the nature of any business, you're going to have the good ones, you're going to have the bad ones. The only thing I want to bring to this discussion is that guardianship has got to be one of the hardest courts to handle because you are dealing with a person's civil liberties; someone is asking the judge to take those liberties away and give those controls to someone else, whether it's a family member or someone outside the family. What has to be remembered, first and foremost, is that guardianship work is about the ward, what is best for the ward; it's not what's best for the family. Unfortunately, we've seen too many cases where the financial exploiter or the abuser is family. So when a family member comes in and says "I didn't get guardianship" the first question in your mind should be, why. There is more to that story. Second, we've got to remember that guardianship court is a court of law, no different than any other court, no different than the Supreme Court. For a guardianship court to make decisions they have to have evidence they can't have comments, or suspicions, or allegations, or concerns, they need to have the facts and if they have those facts, they need to come to court. They can't hide behind "it won't make any difference" or "I don't have the money to hire a lawyer", there are all kinds of legal aid programs out there, but you've got to bring it to the court's attention. If you don't bring in the evidence then the court doesn't know. So again, put the ward's interest first and again, remember, and I'm sure this Committee knows, remember it's still a court of law and it can only operate on evidence brought before it. Thank you.

Chief Justice Hardesty: Okay Ms. Khron. Anyone else who has public comment? Yes ma'am.

Janet Caine: Good afternoon Judge and Commissioners. My name is Janet Caine. I really don't have a dog in this fight but I'm up to a fight for the rights of all these various people that have been in these horrible guardianships. I've been involved in a number of cases, several, with my own family members. Most recent was Ruth Braso (sp), my neighbor since 1988. Ruth was a widow for the last, oh I'd say, seven years or so. Her and her husband were caring for a handicapped child for many years; she has two other sons, one in New Jersey, one in New Mexico. Never met the one in New Jersey but I knew the one,

Larry, who would come frequently to visit from New Mexico and I understood that something happened to his parents he was going to take over the care of his brother, Jody. I was out of town, came back December of '12, and you know, I live on a little private street, it's 13 homes over by the Elaine Wynn school and I noticed that I missed Ruth and inquired from one of the neighbors, you know, if she was alright and I said, oh my, let me tell you what happened, she's been put in a guardianship and I'm like, what? It seems as though she was so lonely she'd talk to strangers and she was at a Wal-Mart store late one evening and somebody volunteered to go home with her and help her unload the groceries. Well, that person unloaded the groceries but then unloaded all of her personal belongings, took off with her car, jewelry, fur coats, and anything they could get their hands on; severable valuable guns. Well, in the course of that, somehow protective services was contacted and I understand from the Nevada Aging and Disability Services that protective services are provided if the individual is willing, that's the operative word, to accept these services. Ruth obviously wasn't because I understand she was taken from her home kicking and screaming on a gurney and was placed in a behavioral facility on Twain. So Joe and I, one of the other neighbors, he said "would you want to go see her" I said "absolutely", so we went over there. First off, they weren't going to let me in because my name wasn't on a list, I said "what, I guess I'll have to call my attorney" they suddenly decided, okay, I could go back but I couldn't take my purse and I couldn't take a phone. So, I go back and I see they have her up in bed obviously zonked out of her head on drugs. She knew who we were but it was no question that the woman was very heavily medicated. So, as it goes on, I call this April Parks who was told to be the so-called-guardian and I asked her if she's aware that she had two sons. Oh yeah, she says, "I called them" and I said "oh, really" and so, I didn't quite believe her but I didn't have their phone numbers. I Goggled Alan's name and caught up with him in New Jersey and he said "oh yeah, they called me, he says "all I care about is that my brother Larry doesn't get anything more than he already got." And I thought, well, nice guy, never even asked about his mother's well-being. So, I didn't have Larry's number, I asked his brother if he had his number but he claimed he didn't. So, alright, as we move on I was asking, I asked Ms. Parks when this hearing that she had filed for petition for guardianship was to be held, we could never get a response from her. So, I had another attorney friend in town check for me as to when the hearing was to be, such and such a date, 1:30. Joe and I go down to the courthouse, we get there at about a quarter to one and I said "let's walk around, I want to make sure it's the right department that I was told." We get there and we check the docket, sure enough there is her case and it's marked, granted. Now, Mr. Joe, what time is it, he says "a quarter to one" and I just saw red. Went upstairs to one of the judges, just so happens I went in to see Judge Steel and I said "what is going on here, we're here for a 1:30 meeting hearing and it's marked granted? The courtroom wasn't even open." So she came immediately downstairs with us and spoke with this Commissioner Norheim who informed us well, we didn't think anybody was going to be here, it's like, hmm, could that be because you wouldn't tell anybody when the hearing was to be? So he said, "Well April Parks is gone", which to me, this doesn't pass anybody's smell test. How does he know so much about her whereabouts? So, I think he was instructed by the judge that they had to reschedule this, which they did and Joe and I again attended and in comes April Parks with Lee Drizin, a case worker and some doctor. Nobody is there for Ruth and Ruth isn't there either. Joe and I both addressed the court and said that, you know, this gal certainly does not belong in a guardianship, she was taking care of herself, she lived in a beautiful home, same type of home I live in, about 2800 square feet, she maintained herself, she was driving her car, she had been victimized by some, you know, unscrupulous character that journeyed home with her and that was through Ruth's fault, you know, she was just so lonely. This is what we pointed out to Norheim, listen, all this lady needs is a companion, she doesn't need to be in any guardianship. So they're like, "oh, oh, that's too expensive, too expensive." Well, they have her in a substandard group home out on Topaz and they're paying \$125 a day, that's 3700 and some dollars a month. I know from personal experience you can get live-in companions, there's so many elderly people that are happy to join in something like that for their own

benefit too, see. Live in a nice home, have a car at their disposal, and just become friends but no, that wasn't going to do for them.

Chief Justice Hardesty: Ms. Caine, I don't want to be rude but I'd like you to wind up your statement.

Janet Caine: Yeah well, let me just say this; Jesse James did it with a gun but these appointed guardians are doing it with, you know, lax and unjust appointments via the ambiguous statutes that we have and inappropriate court personnel. The fact that a Commissioner is calling the shots not an individual like yourself elected by the citizenry. How do they get rid of them? They can't vote them out. We have no control over them. If we don't like what you're doing, you know, your honor, we can vote you out, correct? You don't have any say so. See, that to me is outrageous and just flies in the face of the meaning of the word justice. I've been involved in this case which is very contentious but I feel that, you know, when a Commissioner gives her the right to go in, they sold her home, everything in it, she has nothing. She is now in a room, 12 by 12, with one bed here and one bed there and they keep her in bed most of the time. I was out to see her last evening, when I came back to town to attend this hearing. So I hope something good come out of this. I've, you know, been involved in this state for many, many years as was my husband who, you know, was a good labor leader and were both involved in other factors but what's going on with these guardianships is absolutely horrendous. And I thank you for your time.

Chief Justice Hardesty: Okay, thank you for your comments. Yes, ma'am.

Julie Belshe: This is case number G13039132, Rennie North and G13039133-A, Rudy North, both my parents and I believe, Judge Voy, you're going to be doing our discovery, if you know it or not, so you might want to leave.

Judge William Voy: Was that mentioned in court?

Julie Belshe: Yeah.

Judge William Voy: You mean a settlement?

Julie Belshe: Judge Steel, as far as inventory.

Judge William Voy: I don't do inventory.

Julie Belshe: Okay, well then sit. I don't really care either way.

Judge William Voy: I do some settlement conference...

Julie Belshe: That's what she said so...

Judge William Voy: For the settlement conference?

Julie Belshe: If you don't want to be the judge or whatever, that's fine.

Judge William Voy: I have no problem, I just wanted to make sure that's what it was, a settlement conference.

Julie Belshe: It's for an inventory in accounting and Judge Steel said that you would be doing the discovery.

Judge William Voy: Okay, alright, I'll step out then.

Julie Belshe: You don't have to, we don't really care. Thank you, sir.

Judge William Voy: No, it's fine. Just in case, you never know.

Julie Belshe: My name is Julie Belshe. It is absolutely crucial for this Committee to start taking action and be only solution oriented. Changes to the guardianship and family court rulings and laws that have been written many years ago start with our great state of Nevada. When a private or public guardian comes in your home, hospital, or rehab, or anywhere and gains legal access to take your loved ones before notifying a family member, in my opinion, is criminal. It has come to my understanding that the guardianship laws are old and need to be rewritten and new guidelines are being put into place for stricter regulations of the guardians. My main concern and why I stand here today is to be the voice for what the state calls the wards and I choose to call them our most loved and prized senior citizens that are left without a voice. My family has been through pure torture trying to make sense of a system that strips them of their constitutional and civil rights and paints the family members out to be villains. The first process is barbaric; it requires immediate attention to details in protection of the wards and their families. When my parents were legally kidnapped out of their home or if you would like when our family's lives were hijacked, I was never even notified. I was in pure shock to discover that the private guardian had full reigns to information that one week before she even knew my parents; she was accessing their private health records and financial records. By the time she enters into the home she already has all the legal rights to my parents, physically, and their assets are now hers. My dad made a confident decision after being told by four strangers in his home to go to an assisted living facility, jail, police or the fire department would escort him out of his home, or psych ward. He was intimidated and bullied into going into an assisted living facility and told the legal papers were on their way, by the private guardian, April Parks who represented herself as an officer of the court. My primary purpose in speaking today is to ask the Committee, how many lives and loved ones have to suffer before your panel of people make some crucial decisions and stop these grave robbers from stealing people's souls and cutting off their family heritages. My mother was very close to dying her last four months of being in the new assisted living facility moved because she had ran out of money or I should say April Parks ran her through her money. She was in the hospital, more than with my father, in a corporate building, in a parking lot, that was turned into an assisted living facility. The neglectful and unfair treatment of wards under private guardianship in Nevada has left a gapping wound in the soul of these Nevada residents. I feel that some judges and Commissioners in the Clark County Court have allowed this to happen for many years now. My question for this honorable panel today is this; what is the plan to heal these broken wards who, if ever released, have no homes, no car and no money? Please remember that their safe and peaceful lives were shattered by greed. I feel that we must ask this honorable panel and Chief Justice Hardesty to please establish a office for these wards to go for help, a resource, a crisis center, for guardianship assistance and funding to assist wards during and after their forced incarceration. If this is impossible, I am reaching out to Governor Sandoval to fund it, as Nevada, the state, has failed to provide the oversight of family court that was stipulated by law. Thank you.

Chief Justice Hardesty: Okay. Yes, ma'am.

Sandy Lewis: Hello my name is Sandy Lewis and I thank you all for the opportunity to speak before the panel today. I'd like to start by showing the American flag and saying that my dear friend Rudy North

said at the Commissioner's meeting that I was present at, I thought we lived in America and I have to look around in the room today and the panel, and wonder what this stands for. Okay? The reason I say that, what crime, what crime, tell me, did these wards commit to lose their right to life, liberty, and the pursuit of happiness? If it sounds familiar, it's from the Declaration of Independence. Where did it go? Why were they stripped of this? Last week I went to family court to support ward Ruth Raslow and her family. I've never met them, I've never met her, but I go to court to support these poor wards. I don't remember hearing the preceding judge if Ruth was mailed a certified letter by her attorney advising her; excuse me, advising her of this hearing. I also don't remember the same judge asking anything about Ruth Raslow, her health, her current state of health. Why wasn't she in court? Two strangers were sitting there, myself and another person, and the attorneys, her attorney was there. I recall hearing the judge tell her attorney he had ten days to submit his accounting objection to court and the same would go for the guardian's attorney afterwards, that attorney also would have ten days. Then I believe the judge said, and I might be the only one that heard this, if the attorneys wanted to save the expense of another hearing, the judge would decide the matter privately. Excuse me? Save the expense after he stripped her of all of her assets? Okay. Why wouldn't there be a public hearing with spectators and the ward herself, present, to decide the outcome of her lifesavings. Why would it be done in private, that's my big question to you and the panel? And then I compare it to the pleasure of being in Judge Steel's court, and case after case after case that day she'd hounded everybody that came before her, did you send a certified letter to the ward, if not, I can't hear their case, did you notify the ward, why aren't they here, what's going on with their health. That's our new judge and we like her and we think that there might be hope with her. I don't know what to say other than, I went to the Spirit of '45 yesterday and I bought, to thank the WWII vets for giving us freedom. And I think I'm going to be forced to leave the flag here today and say I'll pick it up later when the state of Nevada does not hold themselves above the Declaration of Independence. Thank you kindly for listening to me.

Chief Justice Hardesty: Thank you.

Anita Katterheinrich: Hello my name is Anita Katterheinrich. I have a case number G15041791A department G. I'm representing a friend of a friend; his name is Kozy Lewis (sp), served 21 years in the Army. He is in his right mind, he has dementia, I admit that. He suffers cataracts, so bad at this point that he can hardly see. And his only crime, he trusted someone to help him because he was going blind, he thought he would invite someone into his home and the fellow abused him. A fellow found out he used to have a drinking problem, bought him a huge bottle of whiskey and left him laying on the floor for dead. At that point because he has full VA benefits he should have been brought to the VA hospital, unfortunately he ended up at Mountain View. Mountain View drugged him so heavily he couldn't eat or drink; they abused him from the first minute he got there until he left. Nine days of that. He arrived at a rehab hospital. A doctor decided to do an evaluation. He had been drugged heavily to transport him. The doctor did an evaluation that says he has dementia. Says he needs 24/7 care. That was the only thing I had to present because if you want to become a guardian you have to have a doctor's slip. I was not permitted to take him home and give him comfort and rehabilitation so that he could get a clear bill of health. I don't consider getting old and having dementia incapacitation. He's a fun guy. He has traveled the world. His daily complaint is what did I ever do to anybody. I have been good my whole life. When I got involved with the guardianship court, and this is my opinion, people who are so suspicious of wrongdoing usually have been up to no good themselves. The guardianship court and abuse and neglect agencies here in Nevada rule by intimidation and vilification of family and friends. They keep all of the treatments of the ward in secrecy so that you can't identify what drugs they're using, however I lucked out. When I was at the family court I got a copy of the petition that was presented by April Parks. It had two doctor's statements. The one I was present. This guy was asleep. He did not answer two questions.

He only answered one question. And he was declared incompetent. A second doctor came in supposedly 28 days later interviewed the patient ad nauseam, there's all kinds of information about his history, his past. Even though this was in the petition a court granted temporary guardianship to a professional, money-making private guardian. She has drained every cent out of his account. He has nothing to live on. They have him in a home that is \$125 a day. He can't afford that. It's the only reason I had to use that statement was there is no other way to petition for guardianship. Now if a doctor is so anxious to keep his facility full of old people, he can write up any kind of fake dementia diagnosis that he wants. The fact is he had no physical health problems. He was abused; however, he could have overcome that with good care. Instead he's been drugged daily. I mean some facilities want you in bed by 5:00 pm so there's a pill with your meal.

Chief Justice Hardesty: Ms. Katterheinrich I'm going to have to ask you to wind up your comments, please.

Anita Katterheinrich: All right, my comments, just to make it absolutely clear; I suggest that your committee come up with a uninterested party. I don't care if it's just average citizens like you do on a jury. Get them to review the cases and give you the full story because it cannot be presented in court. The judge is holding the gavel there's nothing can be said in court. It has to be done privately, personally and quit using intimidation to keep these innocent victims locked away.

Chief Justice Hardesty: Okay, thank you. Anyone else wanting to make private, I mean public comment? Yes, ma'am. Now you have spoken before so I don't want you to be repetitive, okay? Please.

Elizabeth Dianna Indig: Sorry, I'm completely unprepared today but I will try to do my best. My name is Elizabeth Dianna Indig. My case number is G-037414-A. As most of you already know, within approximately 2 weeks of falling down the steep driveway at her home, my mom fractured her skull and bled into her brain and April Parks made a hostile takeover of my mom, her home, her mail, and all of her possessions. She was able to do this because she came to my house dressed looking like law enforcement, claiming to be an officer of the court. She was wearing a tan or beige blouse and pants, a big white belt with a lot of keys, a big baton, and she showed a badge. So there was no reason for me to call the police because I thought she was the police. So I handed over the house keys and the mail keys and everything she wanted. This within 2 weeks of my mom's accident April Parks decided she was permanently incompetent instead of just I mean of just having limited capacity. In my care I believe she would have been able to come home and make a recovery and live in her home with all her things. Now that everything has been stolen and the home was lost, my mom now has a life sentence in the nursing home and April Parks still walks free despite the fact that all the authorities are aware of what she has done to my family and to a lot of other families. Can anyone explain this to me? I want to point out something here. One year after the takeover I went to the nursing home and my mom's room she was not in her room. Her few belongings that I had re-bought were gone. Nobody at the facility would tell me where my own mother was because April Parks had told them I was an abuser and not to speak to me or tell me anything. I called Ms. Parks and I thought my mom was dead and I was crying and completely freaking out and Parks said, "Oh, I'm sorry, I forgot to tell you, she's in the Desert Springs psych ward". I'm all "why", why is she in the Desert Springs psych ward? And Parks would not give me a definitive answer. It was basically, "I don't know." So I was able to visit my mom in the psych ward for one hour a day with a bunch of other people. I was never able to see where she was held. But I do know she was fully restrained and shot up with drugs. When she came out of that psych ward, the lights were on but nobody was home. And she had forgotten all about the loss of her home and all of her possessions. To boot that month's social security check went missing. What a plus because Medicaid

apparently pays for Desert Springs psych ward. Sorry, here we go. Lost my way here. When reforming the system, let's not forget about the corrupt attorneys who recently were April Parks' attorneys and my case were recently disqualified for the murky circumstances in which they were concurrently defending April Parks who caused the loss of the home that was in the trust that we had paid \$320,000 for and at the same time he was representing the man who made the investment to buy the home for \$22,000 and he was trying to get his money back or title to my mom's home back.

Chief Justice Hardesty: I don't want to be rude, Ms. Indig, but please wind up if you would please.

Elizabeth Dianna Indig: Coincidentally, Wells Fargo let this happen. Speaking of attorneys, no attorney will take our case pro bono. The Legal Aid Center refuses to even put our case on their pro bono list. No attorney will take our case on contingency because they say April Parks probably hid all of her assets. So we have nowhere to go. No hope for restitution. Is this right? And in regards to punishment, the punishment should be very, very harsh on people who rob the elderly and the disabled. It should not be the caliber of a speeding ticket, which you get annoyed about but pay. It should be more like the caliber of your third DUI where you actually do suffer, otherwise where is the deterrent from doing it again. And then my last point is a question. Where can we, the current victims go to get help with our cases or to get restitution? I want to get my mother out of this home, but since we were fleeced I don't have the funds to do that. Who can help us? And please don't let future victims not have anywhere to go. Thank you for listening.

Chief Justice Hardesty: Ok, Ms. Indig. Anyone else who wants to make a public comment? Mr. Black?

Rick Black: Hello, my name is Rick Black. I'm the son-in-law of victim Delford Mencarelli. I live in North Carolina. The issue that brings us here today is cavalier removal of civil rights, wasting of the states, and a lack of judicial oversight. Let's be clear, this is really about money. In the 60+ cases I've investigated in Clark County Family Court, over \$25 million dollars was lost by the wards and their family. With no additional benefits provided the ward all in just the last 5 years. If a potential ward with money came before the court, a conflict would be created to insert certain private guardians like Denise Comastro, who sits back in the corner and insure the money was enjoyed by third parties in Clark County. Estate documents were denied. Estates were handed over to complete strangers. Rights fully removed, and family isolated forever. Commissioner Norheim ruled that way when certain guardian ad litem, lawyers, claimed it was best in his court. Think about being exploited and when your family comes to help you, the family court furthers the exploitation. Sadly this system is broken. DPS and the police generally refer corrupt financial exploitation complaints to family court for resolution. That's what happened in our case. If the complaint involves a guardian, they most often defend the guardian's rights and direct you back to family court. Guardians are revered and feared in senior's communities as they flash their guardianship papers and wield their nearly unlimited powers as granted by the court. All guardians fully appreciate their authority. Norheim (1:34:33 inaudible) another referred guardian criminal activity to Metro even in the highly public cases involving Jared Shafer, patients (Brisbow? 1:34:48 inaudible), Helen Matco and April Parks. In fact, this court required little oversight of guardian and proclaimed by law they couldn't investigate yet they issued bench warrants for family members, fined family members, and removed designated family from estates to ensure guardians gained control, with no oversight. Norheim and Hoskin prosecuted and convicted families. Those rulings were leveraged downstream in probate, civil, and criminal courts to ensure the guardians continued to be protected or rewarded. It continues today. We were all told Judge Hoskin would no longer hear cases, but last Thursday he heard Ruth Laslo's case and suggested Lou Driesen (sp?) file a petition for a fee shift to charge a son fighting to free his mother from a suspected fraudulent guardianship. Enforcement can't blindly direct families to a

dysfunctional court that protects guardians even with ill intent in perpetuity. Clark County Family Court reform has started and I thank you Judge Hardesty for that effort. I would also ask that you formalize the relationships statewide between family court and public services, including the police, adult protective services, the Attorney General and the D.A.'s offices to ensure protection of the elderly. My experience has shown today's resources are uninformed, misdirected, and not integrated to ensure efficient protection of the elderly. Civil yet these added checks and balances would ensure family court rules to protect civil rights in the states and formally pursue suspected exploitation by guardians, lawyers, caregivers, friends, and family equally. When justice is assured, the criminal will find easier pickings, or be prosecuted, and you will regain the public's confidence. Thank you.

Chief Justice Hardesty: Any other public comment? All right, seeing none, then. . . excuse me, yes ma'am, I'm sorry.

Terry Williams: I'm going to try to read through this as fast as I humanly can and it'll read better on playback. With all due respect my comments are strong but all can be supported and I believe you will appreciate the candor. I'm here to support the masses of victims, both visible and non-visible, or who have died waiting for forensics audits and accountability.

Chief Justice Hardesty: Would you please state your name ma'am?

Terry Williams: Yes, I'm sorry. I'm Terry Williams, not David. Chief Justice Hardesty you appear wise. I implore you to look back historically. You may not have the resources, but the bright side is I've done much of the work for you. Bernie Madoff is serving 150 years in prison for crimes that were nearly invisible until the bottom fell out. If something isn't done immediately, the current situation will mirror the estate of Joseph Thomas Baggs, Mr. Shafer's civilian counterpart, as illustrated in case number P43840. There is a highly sophisticated criminal enterprise running straight through the courts here. Every attempt you make strengthening the law to protect citizens will be skirted in this jurisdiction for the perpetrators appear desperate to continue feeding the machine created by them via immediate seizure and liquidation of assets charging victims for crimes been committed against them. Please understand guardianship is being used as a tool to (1) Create and maintain investment opportunities and real estate commissions (2) Commandeer personal injury claims and settlement proceeds and or (3) Silence claims against certain persons and agencies. Being one of Shafer's final victims as Clark County's Public Administrator, I am one of the very vocal victims worrying Ms. Tyrell and countless steps were taken to silence me permanently. I prayed this day would come and it has. I've carried a light and damning evidence with the other victims all this time. On July 15, Mr. Shafer stood before you taking responsibility for finally all that has been exposed as unwarranted, illegal, and profound violations of rights. In fact he claimed it would be fun to see how this comes out. Indeed Mr. Shafer appears to believe that depriving U.S. citizens of basic constitutional rights and voiding estate plans is fun. Ms. Tyrell claims only to have missed only 5 days of guardianship court in 21 years. Ms. Buchanan claims 28 years' experience, and Judge Voy disclosed having hear adult guardianship fresh out of private practice between 1998 and 2002. What they have not disclosed is how intimately involved they have been with Mr. Shafer and the system he claims isn't that bad. Unless Ms. Tyrell is prepared to air her perjury and other misdeeds, Ms. Buchanan can explain the deeming incompetent of three individuals at the same time, on the same day, by the same doctor, as notarized by Patience Bristol (sp?), and that after the legislature took steps to separate the offices of Public Administrator and Public Guardian in 1999, she and Mr. Shafer, now cloaked as successor trustee of wards' trusts tag team guardianship cases contrary to legislative intent. Additionally, Judge Voy was Mr. Shafer's attorney before seating the bench. Thereafter appointing Mr. Shafer in his individual capacity as private guardian, while still serving as

public official. Yes, Mr. Shafer moonlighted on the county's dime using his public official access, communication means, etc., to manipulate functioning of the courts, government, and legislation in this jurisdiction. For these reasons fear that the panel is riddled with hidden conflicts of interest and helpless to affect the changes needed to protect past and present victims, or those currently in the pipeline developed during over the last 35 years is understandable. I understand that you have rolled up your sleeves, but I urge you pull back layers and look at the abuses of process, manipulated legislation, and reasons Mr. Shafer regards the panel's undertakings as fun. Last month, Ms. Indig informed you that her mother had been conscripted into guardianship in 5 days. Her comments are consistent with Mr. Shafer's failed attempt in 1995 to gain endorsement from our legislature of his twisted desire to assume ownership control of senior's assets in 5 days. Senator O'Connell stopped Shafer in his tracks, pointing out that she would hate to see him just have this power, whereby there was no penalty for abuse. Mr. Shafer was relegated to seek authority directly from judges expecting intense scrutiny would apply. As we now know, scrutiny did not apply, rubber stamps did. They routinely walked in with legally deficient petitions and out with orders largely based in fraud. Please understand Mr. Shafer and company's desire and abuses are not limited to guardianship court. They are rampant in probate court, as well. A 1989 quote from the late Judge Thomas Foley sheds light. "The attorneys for the estate, that same firm you're telling me, should come in here and nominate a successor of the man I'm removing?" That's why on my own initiative I asked Mr. Peeko (sp?) to find someone such as Mr. Williams who knows the law of this state and the law of trust so I can somehow go to sleep at night knowing that these people are not preying on estates of deceased persons in this community. On Saturday, November 2, 2002, my father was seriously injured during a temporary stay at a nursing facility here. He died shortly thereafter. Mr. Shafer and company learned of my father's multi-million dollar claim and decided it would be fun to steal it, ex parte. Ironically, sorry. Careful to arrange the signing and filing of the fraudulently instituted probate action on the cusp of Shafer's retirement, and concealing my existence, the ex-parte petition for special administration was immediately granted despite the absence of a death certificate and the list of heir's reference therein. Mr. Shafer enjoyed the immediate rubber stamp order giving them full access to my father's protected health and a license to begin plotting terror against my family. I never received the initial documents. The first clues came a month and a half later. During the first probate hearing, I witnessed a man begging to see his mother in guardianship who was being beaten. That was Mr. Gaule. Ironically, the same people having staged the fraud in my father's matter were opponents of the man trying to desperately trying to protect his mother. At the conclusion of the hearing I was advised by an attorney that quote, "Whatever it is they want, give it to them, cause what they're about to do will not be worth it." I bid farewell to that attorney, turned on my heels, went to the records room and pulled every record I could find on Mr. Shafer. I learned of the ex-parte fashion in which my father's claim had been high jacked and the sheer volume of ex-parte abuses is astonishing. A routine amount of the probate's reference guardianship cases. I eventually learned that Shafer, et al. had filed an equally fraudulent medical malpractice lawsuit prior to filing a petition for authority to enter into legal contracts and for the approval fees, void of the required physician's affidavit and escaping the medical malpractice panel by coding it a negligence action. They held me hostage to this suit for more than 4 years. The threats of contempt of court, jail, and other niceties were used over and over again to secure my bound and gagged participation, and we couldn't get to you. My father was a domicile of Maryland. His will was properly probated there before Shafer's shenanigans. Shafer's influence on the court deprived us of a host of constitutional rights as Mr. Shafer repeatedly attempted to deem my father incompetent retroactively, producing a fraudulent guardianship invoice to the ethics commission, who I did manage to get to and that's what you see online. I did that. At least (1:46:23 inaudible) out of the hearing. He billed for guardianship and a lawsuit. My father was never under guardianship. Shafer's bill was again for services not ever rendered. I prepared a set of data for you Chief Justice, a crash course in Shafer 101, if you will. The man who admittedly started it all. The practice of collecting ex-parte orders resulting from

fraud on the court, the hostile takeover of the state did a complete land transactions with the developers, deeming heirs of guardianship victims incompetent to maintain control of funds through subsequent generations, commandeering personal injury claims, while bullying the victims in guardianship court to pave the way to probate revoked wills, favoring Mr. Shafer and company, despite codicils, or ignoring estate plans all together, silencing people with claims against favored persons and agencies via guardianship. And lastly Mr. Shafer's throwing of a child's \$250,000 death benefit having bargained for tri-annual accountings. This must stop immediately. Thank you.

Chief Justice Hardesty: You mentioned you have some documents. You want to furnish those to the clerk after the hearing today or now if you have them.

Terry Williams: I'm putting them together. My copies are out of whack. I'm going to step out and you will have it by the time you're done.

Chief Justice Hardesty: Well, it's okay, if tomorrow's good too.

Terry Williams: I don't live here anymore, so I've got to get it done today. Thank you. Thank you so much.

Chief Justice Hardesty: All right Ms. Williams. Anyone else who wishes to make public comment. Ms. Brems you've already spoken, I'm sorry. Oh, all right. Thank you. Yeah, why don't you give us that information.

Ellen Brems: My mother, Esther Dye, her case number is G as in George, 08031603A. And my aunt Etta Holub is G as in George, 08031604A. And I want to thank you Chief Justice Hardesty for listening to us today and getting this meeting together and I just hope and pray that something can be done. Thank you.

Chief Justice Hardesty: Oh, we'll get something done, Mr. Brems, we'll get something done. All right, then, I think that concludes public comment unless I've missed someone. Apparently I've missed someone. Yes, ma'am.

Vicki Cloutier: Good afternoon your honor, panel. My name is Vicki Cloutier.

Chief Justice Hardesty: Could you spell your last name, please?

Vicki Cloutier: C as in cat, I -o -u-t-i-e-r. My mother's name is Connie Morman (sp?). She was doing business as Montessori Academy of Southern Nevada. Guardianship case G21619. Nevada Supreme Court case, I forgot the number, I'm sorry. State federal court case CDS-05-0285. My mother arrived in this state back in the 40's. She was the first private licensed home to take care of children. She became the first commercial daycare. She was the first Montessori Academy School to have children. She was also a friend of the court. I'm a voice for my mom and for the other seniors, and for the helpless victims. I'm also a voice for myself because I'm reaching the seniorship. From what I have lived through, and what I have witnessed with firsthand knowledge since 2000 -2006, the deliberate isolation, the physical and mental abuse that has been cast upon the seniors and their families by the public officials under the guise to help and protect in this county. It's unbearable. I personally, personally, would rather have a bullet than be in the guardianship in this jurisdiction. What you have in this county is a well-orchestrated, RICO enterprise. A fine operated, it is finely operated under the guise of guardianship, and

extremely sophisticated one at that. Better than Bernie Madoff's Ponzi scheme, better than the Las Vegas HOA Ponzi scheme, or the medical mafia. You have the probate mafia, orchestrated by the kingpin, Jerrod Shafer. It frightens me that some of the very same foot soldiers that are under this kingpin are sitting on this panel. It's extremely frightening. It is like the fox is guiding the henhouse. Prior to, um, I have spoken with Senator Ray Shaffer prior to his passing. He told me for over 10 years he fought Jared Shafer and the Nevada Legislature and that nothing sticks to Shafer. He has too many people in his pocket and too many people have been paid off. I have listen to the speakers on the 7/15 meeting. There are some excellent points that were brought in by attorneys, speaker Richard Black, Jeffrey Grinnell and there was Jared Shafer we can't forget him. He has said that family members to be, for the courts to be aware of the family members, not the guardianship. Think of the ward. This is their life, their money. You make changes. It's gonna cost the ward. Before I met Jared Shafer I stood behind him after court, and his words were to the other attorneys standing in the galley, "Connie Morman (sp?) will never have control over her money or assets ever again This is the motherlode". There's been no inventory to date. There has been no inventory. My mother created a trust to prevent going to probate. That was the whole purpose of it. When Judge Voy sat on the bench, he was moving assets out of this trust. I don't have legal representation. I was pro se, pro per. I asked him, "Are you allowed to do that because that's like moving things you're not supposed to be doing". And he reassured me he could do it. The first order of business when you walk into court from the judge is all p.o.a., power of attorney are now null and void. That is the first order. Then they start going after the trust. The trusts are created to protect, they're to be protected, and the courts were not protecting them and you have attorneys that are advertising creating a trust for people. My mother's company, Montessori Academy of Southern Nevada, Inc. was fraudulently converted into the name of Montessori Academy of Nevada. It went before Judge Jones on an auction. The property without the buildings was valued at \$2.5 million. With the buildings was valued much higher. It was given away for \$850,000 to one Jared Shafer's co-people that he invests with. It was only reported with \$800,000 at the recorder's office. \$50,000 is missing. My mother was deemed incompetent by a shotgun doctor that works for the courts, Louise Shirt (sp?). When she was deemed that, I went and had three different doctors find her that she was competent. She had aphasia, which was a speech impairment. She understood written language. The court refused those documents. I was not allowed to visit my mom except for one hour a week supervised. Her grandchildren were also put under supervision with no explanation and no court order. My mother when she passed she was not allowed to have clothing that she picked out prior to ever being in guardianship. Palm Mortuary told me lady if you don't get her some clothes, she will be buried naked and that is not unusual for people that have been under the guardianship. And I went and borrowed everything I could to get her clothing and she did have clothes. My mother went 18 months before she even was allowed to have an attorney represent her. Stefanie Clement came to the court and in front of Judge Voy, Judge Voy asked her are you going to be counsel or guardian ad litem and she said counsel. She made counsel my mom fired her 4 times and she still would not quit or move on. All this time I am pro se, I am learning how to do things and I'm speaking up in the court because when I started to find a lawyer, when I started counting, it was up to 52 lawyers that I couldn't even get to represent me because Shafer has taken up the lawyer's pool in this town. So you have no choice but to go pro se, pro per. Stefanie Clement represented my mom as a client, as her counsel. Which meant she was not incompetent. She understood. It wasn't until 6 months prior to my mom's death that a notice was filed in the courts without notice given to anyone that she had changed her position to guardian ad litem. There is 3 bank accounts with Bank of America with over 6 figures in them that I have copies of that are missing. Not to include all the other money from the insurance companies that they took for closing my mother's school in the middle of the week when school sessions had just started they closed it in November thanks to Jared Shafer. Jared Shafer will go into a hearing and he becomes the judge in the courtroom and tells the judge to close the hearing and it becomes closed. I have video tapes of me being

personally handcuffed in the courtroom, removed from the courtroom, brought down to the holding basement of the family court building until after the hearing and then brought back up. Ok. There are no, there are no proof of evidence brought before the court. There's no receipt. There's no bank statements. There's nothing. I am still waiting for my mother's jewelry. Her furs. For the bank to release money and that hasn't, that has not happened. That has not happened at all. When I was in court I was naïve, but I've soon learned. I've done a lot of research in the past 15 years with other people. I didn't know then what I know now, that Judge Voy in his private capacity as a lawyer represented over 500 cases with Jared Shafer, and yet we stood before him, and he should have honorably removed himself. I look back now, to me, that is a conflict of interest. Subject matter jurisdiction, your honor, was challenged from day one and when that is challenged, the court must stop and cannot go forward. It's been challenged every time I've been to court and the court continues to move forward, all the time. I have Supreme Court rulings on subject matter of jurisdiction. While Jared Shafer was in his public capacity, and in open court, Judge Voy appointed him in his private capacity over my mother's case. I have asked for help from the F.B.I., from the police, the A.G.'s office, the U.S. attorney, the city attorney, and the D.A. When I went to the D.A. I was informed, I believe it was Mike Foley, I would have to double check so I don't want to be misquoted. It was Foley who handles all cases against Shafer. And I said, "What do you mean?" He said if anybody brings a case against Shafer, he represents Shafer. I said, "Oh, so he's got an attorney with the D.A.'s office on a retainer fee." "I can't even go to the D.A. for help?" You know, where does this stop? I've been to the police department. Oh that's public guardian. We don't take complaints about public guardian. They can do that. That's okay. My mother's

Chief Justice Hardesty: I don't want to be rude, but I'd like you wind up your comments, if you would. Please.

Vicki Cloutier: Not a problem, your honor. I understand. I've done hundreds of hours of research. We have the documentation. We have it for the people that are in this court that are involved with Shafer. His foot soldiers are also involved in business dealings with him. A lot of business dealings and we've done all that homework. I will be happy to produce it to the court, but it's here. This is one RICO enterprise that's been going on for a long, long time at the hands of Mr. Jared Shafer on the victims of the elderly and the victims of these families and the grandchildren. My mother's grandchildren. I was not allowed to help them. Their grandmother was dead. As DPS brought them in to view their grandmother put the handcuffs and shackles and guards at Palm Mortuary. And these were little kids that have been through hell. This was their only grandmother. Something needs to be done now. I hope this panel can understand that these people that are up here are not making this up. We all have different names, but we all have the same experience with Mr. Shafer and his foot soldiers that are doing his work for him.

Chief Justice Hardesty: Okay, thank you.

Vicki Cloutier: Thank you, your honor.

Chief Justice Hardesty: All right, anyone else? I don't know Ms. Breems. I haven't spoken with him. I have not. Okay. All right. That's enough with the dialog, if we could. (Ms. Breems asked a question from the gallery. This was not picked up on the recording). Any other public comment? We've been going now for close to two hours and 15 minutes. I'm going to take about a 5 minute break for the commission members. Get something to drink and we'll come back and start up again. Okay? All right.