

Proposed Legislation

The Conservatorship Code, a law of preservation, is currently adjudicated in the Probate Court, a court of liquidation. This is an utter contradiction in jurisprudence and comes with built-in conflicts of interest. Probate practitioners, in cooperation with facilitating courts, can and have devised methods of looting estates before a person is in the grave, by subversion of the Conservatorship Code, filled with gaping holes that leave the door open for such abuse. The proceedings themselves, even in a non-abusive conservatorship, deplete the wards' assets in direct conflict with ostensible purpose of the law. "Conserving" wards into indigence is an accepted and appalling practice.

The elderly are typically the victims of guardian/conservator abuse, locked away and silenced, with no voice, stripped of all civil, legal and Constitutional rights, as their estates are liquidated by invented litigation held up in probate, the absolute wrong venue. As it stands, the "golden years" of these elderly wards, are only golden for those who profit from the subversion, exploitation and abuse of a law, meant to protect and preserve, but being adjudicated in a court of liquidation, not preservation. Add on to this inherent conflict of interest by venue, now the probate practitioners are going for a younger demographic, inventing "disabilities" to create AIP's (alleged incompetent persons). Nashville is an especially vulnerable city, with songwriters historically known for not protecting themselves legally, but with copyrights and intellectual property that create revenue in perpetuity, thus an income stream in perpetuity; yet in perpetuity for those who subvert, exploit and abuse under color of law and guise of protection.

A living person's assets don't belong in a court created to disperse the estates of the deceased. The first and most important step in the right direction is to remove this law from Probate Court and end the Probate stronghold.

There are alternative ideas for venue that will immediately serve in "the best interest of the incompetent" as well as save taxpayer dollars, for when the probate court has completely liquidated the assets of the wards, there is a stream of government money being spent to care for these wards in the form of Medicaid Fleecing and Disability Benefits., and the list goes on.

Alternative Solutions

There will always be a need to protect the incompetent. The courts should be used as a last alternative in this regard, but especially any court other than the probate court, a court of liquidation, not preservation. Hearings should be presented as an option for stalemate, not the starting point.

Here are two alternative ideas that can be considered and built upon:

1. A "Board" with specific expertise: one (1) medical expert, one (1) accountant, one (1) public guardian, two (2) advocates (there are many advocate groups championing this cause across the country, for it is of epidemic proportions) three (3) Civilians, with the composition favoring the non-professional, a composition consistent with Constitutional intent. The taxpayer's dollars saved from Medicaid Fleecing and Disability, not to mention other devised government resources once the estate is utterly looted, can fund the alternative board that should govern this law of protection and preservation.

2. If the Legislature can create *Juvenile and Family Courts*, they should be able to create *Adult and Family Courts*, specifically for the purpose of protecting the AIP's and wards.

Whatever alternative, stricter guidelines and oversight must be in place, for whenever there is money on the line, predators tend to flock. Further consider that the elderly are at stake at the most vulnerable time of their lives, thus the need for stricter guidelines and oversight to avoid abuse and exploitation.