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PHOENIX, Dec. 23, 2010

Guardianship Agency Costs Elderly Woman Dearly

Senate Investigation Finds Millions Allegedly Squandered or Stolen by Court Appointed Guardians

By Sharyl Attkisson

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(CBS) You're supporting Marie Log with your tax dollars - even though she had plenty of money on her own.

Then a court appointed guardians to look out for her best interests. But her relatives say the guardians had only one interest - enriching themselves.

CBS News investigative correspondent Sharyl Attkisson reports.

As children of the Depression, Marie and Cliff Long lived frugally and invested wisely. Cliff died in 2003. Madelon and Jenette are Marie's sisters.

Jeanette said her sister had about \$1.3 million saved up - enough to last the rest of Marie's life - or so the couple thought.

With Marie in declining health, there were no children. Her daughter died of cancer at age 16, and her son died in Vietnam.

To make decisions on her finances and care, the court appointed a guardian - an agency called "The Sun Valley Group."

First, as Guardian, Sun Valley's owners Peter and Heather Frenette



PLAY CBS VIDEO

VIDEO Agency Care Costs Elderly Woman Dearly

An elderly Arizona woman who had a \$

taxpayer expense after a guardian agency up the bills for her care and then dropped her when the money was gone. Sharyl Attkisson reports.

Read the GAO report on Guardianships

When a Sun Valley worker started a fire in Marie's kitchen, Marie was charged for four employees to "confer" about it. The rate? Up to \$105 dollars per hour for each worker.

When another Sun Valley worker locked herself out of Marie's house: \$85 dollars an hour for each employee who conferred about that.

Sun Valley found a dozen ways to charge Marie to get her own weekly petty cash. They charged to prepare the cash, to confer about it, to review the status, to draft a letter to the courier, to call the courier, to pay the courier - you get the idea.

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Now 89, Marie Long lives on Medicaid. (CBS)

To send Long and their worker to a Phoenix Suns basketball game, Sun Valley charged over \$1,000 dollars for "research," phone calls, and a limo.

Sun Valley even charged Long \$228 to "determine (the) effect (of the game) on (her) mood."

When her sisters complained, Sun Valley hired lawyers, and charged Marie for that, too. Attorneys got \$409,000 of Marie's money in just four years.

And Sun Valley walked away with \$430,000.

Jeanette says her sister's financial status today is "Zero. Everything's been taken from her."

CBS News wanted to talk to Sun Valley CEO Peter Frenette, so we visited his Phoenix office. He wasn't available.

In writing, Frenette said he can't discuss Marie because of litigation. He did say guardians often "parachute into family battlefields; this surrounding conflict can create extraordinary fees to be incurred."

The court official who appointed Sun Valley in 2005 and an Appeals Judge defended Sun Valley's performance. They said the limo, the grease fire, all the expenses were "reasonable, necessary and for Marie's benefit." The court even blamed Marie's sisters for complaining about it and running up costs.

"We wanted my sister to have good health care," Jeanette said. If that's what run up the cost, then I'm guilty. I'm guilty."

"Then so am I," her sister Madelon added.

Sen. Herb Kohl (D-Wisc.) chairman of the Committee on Aging, says it's a national problem. His Investigators found millions of dollars allegedly squandered or stolen by court-appointed guardians. They say Long's case shows why new laws are needed to protect the vulnerable from their own guardians.

"Unfortunately, nobody told Marie that in Arizona, as the widow of a veteran, she could've gotten a guardian for just \$75 a month," Kohl said.

Long is too frail to talk to CBS News now, but she spoke to a newspaper reporter from the Arizona Republic last year.

The reporter asked her, "do you wonder about your money?"

"Yes," Long replied. "But from what I hear there isn't any."

Today, Marie is 89 and now lives on Medicaid at taxpayer expense. Sun Valley withdrew as her guardian twelve days after her money ran out.

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by kimmanire December 27, 2010 11:41 AM EST

CAN YOU SAY CONFLICTS OF INTERESTS IN THESE CASES, I CAN IN OUR CASE. SEE LIST AND CONNECTIONS:

Mark Shobert - Adult Protective Services in Denton Texas. He was working for APS in El Paso, and was let go in El Paso from the APS down there, four months before coming here to Denton, and taking Doris Manire from her home.

Judge Don R. Windle - Denton County Probate Judge. Has been reprimanded for advancing and promoting his ex-wife's Guardianship business, with the County Commissioners Court, and advancing close friends.

Duane Coker - Court Appointed Temporary Guardian Ad Litem for the person of JP Manire

Angela Dodd Miller - Court Appointed Temporary Attorney Ad Litem for the person of JP Manire. She did file a motion that Mr. Manire wanted to go home and live. Although she never pursued or forced the issue.

Carol Dabner - Court Appointed Temporary Guardian of the person of Doris Wanda Manire and the Court Appointed Temporary Guardian of the Estate of JP and Doris Wanda Manire

Debra Jones - Court Appointed Temporary Guardian for the person of Doris Wanda Manire

Roy Anderson - Court Appointed Permanent Guardian for the Estate of JP Manire. He is also judge's longtime friend/business, and partner/personal CPA.

Leroy Howe - Court Appointed Permanent Guardian for the Estate of Doris Wanda Manire. Howe was the Manire's CPA for about 12 years before the guardianship started.

Beverly McClure - Court Appointed Permanent Guardian of the people JP and Doris Wanda Manire. Judge's ex-wife. She was a NON PROFIT, but was paid by the estate of JP and Doris Manire, for visiting him on his birthday, refusing to allow the family to see him.

Frank Cerolvo - Works so Roy Anderson to over see handling of the estate, inventory lists and accounts of estate.

David Bouschor - Attorney representing Roy Anderson (paid from Manire Estate), represented McClure in her divorce, from the judge.

Dena Reecer - Attorney representing Leroy Howe (paid from Manire Estate). Dena Reecer is now partners with Gary Shelton, who used to be the judge's ex-law partner.

Tom Jester - Attorney who was suppose to represent Kim to get guardianship of the Manire's and the Estate. He was the mayor of Denton. He was mentioned in an article about some property (I have the link if you need it).

Tom Whitlock - Associate probate judge when guardianship started, but was Manire's attorney who drew up their wills and was held on retainer for years, before guardianship, and him becoming, the Associate Probate Judge.

He is now working in the DA's office

Jerry Kelsoe - Owns Kelsoe Oil, he has a contract with the county to supply their oil, and also the one who buys the Manire Homestead, and sells it in less than a month.

Judith P. Kenney - Successor guardian for JP Manire

Reply to this comment



by kimmanire December 27, 2010 11:38 AM EST

THIS IS NOT FUNNY, IT IS TOO TRUE FOR WORDS THE WAY PEOPLE ARE REALLY TREATED IN THESE COURTS, JUST ASK ANY ONE WHO HAS BEEN THERE: <http://www.youtube.com/watch?v=ww2DzxjKEQo>

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by kimmanire December 27, 2010 11:30 AM EST

THIS IS THE GOA REPORT: <http://www.gao.gov/new.items/d101046.pdf>

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by izzyizreal December 27, 2010 11:28 AM EST

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They withdrew their guardianship after her money was spent. That speaks volumes. This is not an isolated case. It is happening on a grand scale. Until and unless the probate courts are required to protect the rights of those that need help instead of abusing their discretion, the courts have no fear and will continue to cause additional pain and suffering. This is very sad for Marie and those that love her.

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by FenderClassic December 27, 2010 11:06 AM EST

There is a Facebook page set up called Force Sun Valley Group out of business. (Sun Valley Group's main FB page is MIA suddenly. HA!) We are talking of starting a Facebook page dedicated to the families and victims. Please hop over to Facebook: http://www.facebook.com/home.php#!/home.php?sk=group_174833459216212&id=175537242479167¬if_t=like

help us think of a compelling name for our page. Remember, this is dedicated to victims and their families. This came about when someone revealed that his friend was under guardianship and, after having a FB page created for the friend, that page was simply removed. As if that's all taken care of, now. No, it isn't. The idea then became to share our page with this guy. Then, it came about to give these people a dedicated FB page wherein they can share their stories. This can be big and can be used to make an impact. Everybody uses FB and it's a great tool. Please come over, help us pick a name and start telling us what happened to you. Thank you.

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by Advocatesall December 27, 2010 10:20 AM EST

From someone who has already tried law enforcement and many government agencies, it is unlikely that local law enforcement will do anything at all(many probate judges are very well connected).

In Texas we have determined going to the national level is necessary. It would be good if all states represented on this comment list would contact the same office in Washington DCat the same time.

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by Advocatesall December 26, 2010 11:36 PM EST

Guardianship abuse in Texas is rampant. Click on this link to listen to details from so many families in Fort Worth re their experiences with Judge Pat Ferchill. Almost everyone who testifies was removed as a guardian of a family member in a SECRET HEARING- no due process.

<http://www.senate.state.tx.us/avarchive/?yr=2010&lim=50>

Scroll down to June 24th Jurisprudence hearing.

Family testimony starts at about 1:50. You can move a cursor along at the bottom. Since the hearing, Senator Wentworth is removed as chair and Senator Harris is now functioning in that capacity. He has not allowed families to set appointments to follow up on this issue- in spite of asking many questions during the hearings .

See GRADE web site - an advocacy group making progress in TX.
www.guardianshipreform.org

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by elainerenoir December 26, 2010 8:23 PM EST

It's important for people who aren't familiar with guardianship abuse to know that unlawful and abusive guardianships/conservatorships don't just happen to the elderly and/or disabled. Anyone with assets who becomes vulnerable can be guardianized. Gary Harvey was in his 50's when he fell down a flight of stairs?.

In Nashville, TN, songwriter/musician Danny Tate was conserved based on allegations made by his brother --- at an ex-parte "emergency" hearing Danny was not even aware of. By the time he knew what was going on, his assets were seized and he didn't have the money to hire a lawyer of his choice to defend himself against the hostile take over of his life and assets.

The "temporary" conservatorship lasted over 2.5 years and drained Danny's once ample estate, plundering him

into endless debt - all under the guise of "protection."

Case after case of guardianship abuse from all over the country are shown on NASGA's website, www.StopGuardianAbuse.org, click on the Victims page.

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by DerkDiggler December 26, 2010 7:56 PM EST

Dear Katie Couric,

If only you could see what these victims are experiencing, they do not get to spend Christmas or holidays with their family. Conservatorships are not what they claim them to be. They destroy families, they rob the person who has money of their rights, estate and cash. The costs outweigh the reason for why we have conservatorships. If this is only about a few cases then why are their victims all over the USA crying out?

The public does not want to accept that our judges could be corrupt. That our justice system is fair and honest. Judges are at the top of the food chain and the presiding judges such as Ronald George who sit at the top allow these horrific crimes to go on. The judges below him know that he does nothing so the courts and staff below him have nothing to fear.

The crimes are not just against people, they are against the weak, helpless, elderly and those who can't defend themselves. The fact that their life savings is being spent and they have no right to protest is what makes this so important.

Reasons like "Dementia" are easily faked, victims are often first drugged and then taken to doctors. The doctors then need to diagnosis a heavily drugged person. If you Google Dementia and how doctors diagnosis it you'll find that a major part of the doctors diagnosis comes what he is told from family or witness. So that doctor is relying on the word of the person who is falsely forming the conservatorship. False history, false events and false past medical history.

Anyone can search Google and find out what symptoms doctors look for in diagnosing dementia and then forming a false story to support their claims.

My mother refused to take her stool softener since it was causing her problems. My sister (the conservator) then told doctors she refused to take ALL HER MEDICATIONS, after which she demanded her mother be injected with Haldol. The doctors went along with this, there was no reason to do this but you must see how easy it is for a doctor to make the wrong decision when he feels he is dealing with a family member. What the doctor does not know is the family member was not around for 40 years and only arrived when they found out about "how to steal a fortune using conservatorship". No one checks on the history, in my case my sister merely told the court lies about me. That I was living in another country under another name, I was a bad person, she had not talked to me in 10 years. When the truth was she called me months ago, she had my address and I was living only miles from where all this took place. I was a police officer for the city of Los Angeles. When I brought this to the attention of the court, probate department they ignored me. They then said we need a trial, they would not offer a jury trial. The judge assigned did not even read any court documents and in the last legal hearing she said this. She stated she was unfamiliar with the case and then ruled against me. Its insane, all I wanted to do is let them know something was wrong.

I wrote a letter to the presiding judge asking how do I do this, her response was "lets see what she does" even thought the presiding judge knew about the crimes, perjury and lack of attention by the probate department. Later she retired and did not contact us again. She just wasted time and did nothing.

So who do victims turn to, who will listen and REALLY investigate, not continue the scam or lies?

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by dorothisdaughter December 27, 2010 2:16 AM EST

These stories are so sad, and I'm sorry about you Mother. I found this information on Washington's State Legislature site. I hope it is somehow helpful to you and your family. Here's the link:
<http://apps.leg.wa.gov/RCW/default.aspx?Cite=26.12.175>



by huskey21 December 26, 2010 7:25 PM EST

Thank You ABC for exposing this story. Since April 2010 when my mother was assigned a guardian, the guardian moved her to a locked down facility, isolated her for almost 2 months from her children, changed her specialist to a D.O. and will not allow my mother to go outside the facility. The story goes on and on.....it's been a complete nightmare for our family. My mother's friends are not allowed to visit her and she has not had her prescription glasses since May 2010. My mother is a WWII veteran that worked hard her whole life. My mother doesn't want to be at this facility. The judge will not remove the guardian. I can relate to everything that everyone is talking about and more. We need federal legislation that will require FBI background checks, credit checks, regulated fees, etc. Why should anyone be allowed to isolate anyone from their friends, relatives and loved ones? I had a prosecutor tell me that it is very difficult to prosecute these abusive guardians and he also mentioned it is a very lucrative business. I hope and pray that we see some punishment in this new legislation. We must put a stop to this form of corruption. Do you know anyone that can help my mother in Washington State?

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