



protect older adults at risk. These agencies can provide information on state protective services, toll-free hotlines for reporting suspected abuse, and additional support programs.

## The Role of an Elder Law Attorney

Elder law attorneys are specially trained to handle legal issues affecting older adults, including abuse, neglect, and exploitation. They can help prevent further abuse, recover stolen assets, or secure damages for harm caused by an abuser. Some states offer special court proceedings or enhanced damages for victims of elder abuse, neglect, or exploitation. Consulting an experienced elder law attorney can provide victims with the legal support they need during these difficult situations.

## National Academy of Elder Law Attorneys

The National Academy of Elder Law Attorneys (NAELA) is a professional association of more than 4,000 attorneys dedicated to improving the quality of legal services provided to older adults and people with disabilities.

The information in this brochure is provided as a public service and is not intended as legal advice. Such advice should be obtained from a qualified elder law attorney.

For more information about NAELA and a directory of NAELA attorneys in your area, go to [www.NAELA.org](http://www.NAELA.org).



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The Law and Aging

# Elder Abuse, Neglect, and Exploitation



## The Issue

Elder abuse is a critical and growing problem, with 1 in 10 older adults in the United States experiencing some form of abuse each year. However, only 1 in 24 cases is reported.

Abuse can manifest in several ways, including physical, emotional, or sexual harm, financial exploitation, and neglect.

With the older population steadily increasing, it's crucial to recognize and address this issue. Various legal protections and resources are available to help prevent and respond to elder abuse. Laws differ from state to state, but understanding the signs of abuse and knowing how to act swiftly can safeguard vulnerable individuals. Reporting suspected abuse to the authorities and seeking legal counsel are key steps in protecting older adults from further harm.

## What You Need to Know

In many cases, the abuser may be a family member or a trusted friend. Unfortunately, financial exploitation by in-home caregivers is also common. It's essential to secure sensitive financial documents (e.g., checkbooks, bank statements) and valuables (e.g., family jewelry) when bringing a caregiver into the home. Abuse can also occur in nursing homes, adult care facilities, and congregate living settings, where it may be harder to detect.

Abuse typically happens in private, and older adults may struggle to report or describe the incidents. When abuse is reported, it's often

met with disbelief. An increasing number of unscrupulous individuals target vulnerable and incapacitated adults, often reappearing in multiple cases of exploitation.

## Warning Signs of Abuse, Neglect, or Exploitation

Family members, friends, and professionals should be alert to potential signs of abuse, including:

- **Forced isolation:** When a victim suddenly withdraws from visits or phone calls, it may be a sign of forced isolation by the abuser, who may claim the victim is unavailable.
- **Fearfulness or anxiety:** A victim may exhibit fear or tension, especially around their caregiver, or there may be frequent arguments between them.
- **Unexplained changes in living arrangements:** Be wary if someone new moves in to “care for” an older person shortly after meeting them.
- **Financial exploitation:** Look for sudden financial changes, such as new bank accounts, credit cards, unusual investments, or participation in sweepstakes. Older adults are particularly vulnerable to financial scams, identity theft, and predatory sales tactics.

## Legal Reporting Requirements

Most states mandate that certain professionals who suspect abuse, neglect, or exploitation

report their concerns to authorities. Depending on the state, failing to report may result in criminal charges. Mandated reporters often include health care providers, social workers, accountants, attorneys, bankers, and others.

*Understanding the signs of abuse and knowing how to act swiftly can safeguard vulnerable individuals.*



## Where to Go for Help

Each state has an agency, typically called **Adult Protective Services** or **Department of Social Services**, dedicated to addressing elder abuse. Your local **Area Agency on Aging** can also help identify resources to