

ENDNOTES

1. For the purposes of this project, the term "elder abuse" has been defined as "the intentional or unintentional abuse (commission) or neglect (omission) of an older adult by a person in a personal, social, professional or business relationship that results in physical, psychological, social, or financial consequences." This definition was developed by the project's advisory committee based on the definition developed by Margaret F. Hudson, "Elder Mistreatment: Taxonomy with Definitions by Delphi," *Journal of Elder Abuse & Neglect*, Vol. 3(2) (1991). A glossary defining other terms used throughout the project and this report can be found at Appendix A.
2. Subcomm. on Health and Long-Term Care, House Select Comm. on Aging, *Elder Abuse: A Decade of Shame and Inaction*, Comm. Pub. No. 752, 101st Cong., 2d Sess. (Apr. 1990).
3. Seventy-five percent is the measure of consensus established by the project's advisory committee.
4. American Bar Association, *Reports with Recommendations to the House of Delegates (Section of Individual Rights & Responsibilities)*, Report No. 114D, August, 1986.
5. American Bar Association, STANDARDS RELATING TO COURT ORGANIZATION AND ADMINISTRATION, Section 1.25, Volume 1 (1990).
6. NATIONAL PROBATE COURT STANDARDS, commentary to § 1.4.5 (Commission on Nat'l Probate Court Standards 1993).
7. American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 115, August, 1991, see Recommendations VI.C.1 and VIII.C.1.a.
8. NATIONAL PROBATE COURT STANDARDS, commentary to § 1.5.1 regarding Accessibility (Commission on Nat'l Probate Court Standards 1993).
9. *Court-Related Needs of the Elderly and Persons with Disabilities: A Blueprint for the Future*, Introduction (American Bar Association & National Judicial College, 1991).
10. 42 U.S.C. § 12101 *et seq.*
11. American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 106B, August, 1987, see Recommendation I.B.2.
12. American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 115, August, 1991, see Recommendation II.E.1.
13. Jeanne Dooley, Naomi Karp, & Erica Wood, *Opening the Courthouse Door: An ADA Access Guide for State Courts* (American Bar Association, 1992).

14. American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 115, August, 1991, see Recommendation VI.A.3.
15. *Id.*
16. NATIONAL PROBATE COURT STANDARDS, commentary to § 2.2.1 (Commission on Nat'l Probate Court Standards 1993).
17. American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 106B, August, 1987.
18. *Id.* See Recommendations II.B.1 and II.B.3.
19. American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 104, February, 1989. See *Guardianship: An Agenda for Reform*, Recommendation III.B (American Bar Association Commission on Mental & Physical Disability Law, 1989).
20. American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 115, August, 1991, see Recommendation IV.A.
21. NATIONAL PROBATE COURT STANDARDS § 3.3.9 and 3.4.9 (Commission on Nat'l Probate Court Standards 1993).
22. American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 104, February, 1989. See *Guardianship: An Agenda for Reform*, Recommendation III.A (American Bar Association Commission on Mental & Physical Disability Law, 1989), and NATIONAL PROBATE COURT STANDARDS § 3.3.9 and 3.4.9 (Commission on Nat'l Probate Court Standards 1993). For comparative purposes, see American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 106B, August, 1987, Recommendation II.A.1.
23. Mark S. Lachs & Karl Pillemer, "Abuse and Neglect of Elderly Persons," 332(7) New England Journal of Medicine, 437-443 (1995).
24. American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 104, February, 1989. See *Guardianship: An Agenda for Reform*, (American Bar Association Commission on Mental & Physical Disability Law, 1989). See also NATIONAL PROBATE COURT STANDARDS § 3.3.2, 3.4.2, 3.3.10, and 3.4.10 (Commission on Nat'l Probate Court Standards 1993).
25. American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 106B, August, 1987, see Recommendation I.C.1.
26. NATIONAL PROBATE COURT STANDARDS § 3.3.5 and 3.4.5 regarding Appointment of Counsel (Commission on Nat'l Probate Court Standards 1993).

27. See DEBRA WHITCOMB, DEPARTMENT OF JUSTICE, WHEN THE VICTIM IS A CHILD (2nd ed. 1992).
28. ABA STANDARDS RELATING TO COURT ORGANIZATION AND ADMINISTRATION, Standards 1.1; American Bar Association, *Reports with Recommendations to the House of Delegates (Committee on Unmet Legal Needs of Children & Their Families)*, Report No. 10C, August, 1994.
29. These statistics would probably be higher, but the ADR question was the only one on the study instrument in which we offered the participants an opportunity to indicate that they didn't know whether a characteristic of ADR was advantageous or not. The "don't know" responses to the particular issues discussed here were 12%, 11%, 10%, 11%, 14%, and 14%, respectively.
30. American Bar Association, *Reports with Recommendations to the House of Delegates (Committee on Dispute Resolution)*, Report No. 114, August, 1989.
31. American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 115, August, 1991, see Recommendation V.B.1.
32. American Bar Association, *Reports with Recommendations to the House of Delegates (Criminal Justice Section)*, Report No. 101B, August, 1994.
33. NATIONAL PROBATE COURT STANDARDS § 2.5.1 (Commission on Nat'l Probate Court Standards 1993).
34. *Id.*
35. American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 106B, August, 1987, see Recommendation IV.B. See also NATIONAL PROBATE COURT STANDARDS §§ 3.3.13 and 3.4.13 (Commission on Nat'l Probate Court Standards 1993).
36. American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 115, August, 1991, see Recommendations VII.A and VI.C.
37. NATIONAL PROBATE COURT STANDARDS, commentary to § 1.1.4 (Commission on Nat'l Probate Court Standards 1993).
38. See Leonard P. Edwards, *Reducing Family Court Violence: The Role of the Family Violence Council*, 43 JUV. & FAM. COURT JOURNAL, No. 3, at 1 (1992).
39. This information is contained in a packet of materials about Family Violence Coordinating Councils that was prepared by and is available from the National Council of Juvenile and Family Court Judges, P.O. Box 8970, Reno, NV 89507 (1-800-527-3223).
40. Information about these elder abuse task forces may be obtained from the National Committee to Prevent Elder Abuse, c/o The Med Center of Central Massachusetts, Institute

on Aging, 119 Belmont Street, Worcester, MA 01605-2982.

41. American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 115, August, 1991, see Recommendation I.

42. American Bar Association, *Reports with Recommendations to the House of Delegates (Family Law Section)*, Report No. 101, February, 1991.

43. American Bar Association, *Reports with Recommendations to the House of Delegates (Committee on Public Education)*, Report No. 114, August, 1992.

44. American Bar Association, *Reports with Recommendations to the House of Delegates (Commission on Legal Problems of the Elderly)*, Report No. 115, August, 1991, see Recommendation VI.D.

45. American Bar Association, *Reports with Recommendations to the House of Delegates (Criminal Justice Section)*, Report No. 117D, August, 1983.