

MANAGING SOMEONE ELSE'S MONEY:

Help for Trustees under a Revocable Trust in Montana

ABOUT THIS GUIDE

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This guide is based on information produced and distributed by CFPB. However, CFPB has not reviewed nor endorsed this Montana version. The guide is not intended to provide legal advice or serve as a substitute for legal counsel. If you have questions or concerns, consider seeking the guidance of an attorney.

Acknowledgment: Appreciation is expressed to the Business, Estates, Trusts, Taxes and Real Property (BETTR) Section of the State Bar of Montana for funding the printing of this publication.



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WHY READ THIS GUIDE?

Like many, you may never have been a trustee under a revocable trust. That is why we created *Managing Someone Else's Money: Help for Trustees under a Revocable Trust in Montana*. This guide will help to understand what can and cannot be done in the role of a **trustee**. In that role, you are a **fiduciary**.

For this guide, a fiduciary is **anyone named in a trust to manage money or property for someone else**. Find tips to help avoid problems and resources for finding more information.

The content is for family and friends who have been asked to serve as a trustee, not for professionals or organizations. The information is not legal advice. Talk to an attorney if you have questions about specific duties as a trustee.

If you want to make a revocable or testamentary trust, talk to an attorney. A revocable trust is set up while you are alive. A testamentary trust is set up in your written will.

You may find background information about these two types of trusts in MontGuides from Montana State University Extension. www.montana.edu/estateplanning/eppublications.html

A scenario about how you could have become a trustee

Your family member or friend, Rose, is worried she will get sick and will not be able to pay her bills or make other decisions about her savings and her house. Rose has signed a legal document called a **revocable trust**. In it, she has named you as her **trustee**.

When she set up the trust, Rose should have transferred ownership of some or all of her financial accounts (i.e., checking, savings, certificates of deposit, stocks, bonds, and mutual funds) and real property (such as her house) from her name to “*your name as the trustee of the Rose Roe Revocable Trust*.” As her trustee, you now have the power to make decisions for the benefit of Rose about her assets and any property she placed in the trust. The law gives you considerable responsibility.

As a trustee of the trust for Rose, you are now a **fiduciary** with **fiduciary duties**.¹

What is a fiduciary?

Since someone has named you to manage their money or property in a trust, you are now a **fiduciary**. Montana law requires the money and property to be managed in the trust for Rose’s benefit, not yours.² It does not matter whether you manage sizable sums of money or very little. It does not matter whether you are a family member or not.

The role of a fiduciary carries legal responsibilities. When assuming the role of a fiduciary for Rose, there are four basic duties to keep in mind:

1. Act only in the best interest of Rose.
2. Manage the money and property in the trust very carefully.
3. Keep Rose’s trust property separate from yours.
4. Keep good records.

As a fiduciary, you must be trustworthy, honest, and act in good faith. If you do not meet these standards, a district court judge could remove you as a trustee and fiduciary of Rose’s trust. You could be sued for mismanaging the trust or could have to repay money not spent properly. The police or sheriff could investigate, and you could go to jail.

That’s why it’s important to remember: The money and property in the trust are not yours. It belongs to Rose.

¹ Montana Uniform Trust Code, Mont. Code Ann. § 72-38-101 et seq.

² Mont. Code Ann. § 72-38-802.

Several types of fiduciaries exist

In the role of trustee, you may function as or deal with other types of fiduciaries. These may include:

Agents under a financial power of attorney — someone names an agent to manage their money and property.

Representative payees — the Social Security Administration names representative payees to manage the money of a person receiving Social Security benefits.

VA fiduciaries for veterans — the Veterans Administration names VA fiduciaries to manage VA benefits paid to a veteran or family member of a veteran.

Conservators — a district court judge names conservators to manage money and property for someone who is incapacitated or incompetent.

The Consumer Financial Protection Bureau has developed other guides. They explain the duties of fiduciaries and can be found at: www.consumerfinance.gov/consumer-tools/managing-someone-elses-money

MSU Extension has a MontGuide describing the use of a Power of Attorney (financial): store.msuextension.org/publications/FamilyFinancialManagement/MT199001HR.pdf

Revocable trust questions and answers

What is a revocable trust?

A **revocable trust** is a legal document. Rose made a revocable trust to give you as the trustee legal authority to make decisions about her financial accounts and real property in the trust. She also wrote in the trust document who will receive the trust's financial accounts and real property after she dies.

In Montana, there are three roles under a trust.

- The person who sets up the trust is called a **settlor**. In a few other states, the term “**trustor**” or “**grantor**” is used.
- The person who makes decisions about the money or property in the trust is the **trustee**. A trustee can be an individual or a financial institution. If there is more than one trustee, they are **co-trustees**. The settlor may also name a **successor trustee**. The **successor trustee** acts only if the trustee can no longer fulfill that role. Rose can name herself as trustee and you as co-trustee. Your fiduciary role begins when Rose signs the document. Or Rose could have named you a successor trustee who can act when Rose can no longer make financial decisions.
- A person who receives money or property from the trust is called a **beneficiary**. Rose may be the only beneficiary while she is alive. Or Rose may name co-beneficiaries who receive money or property from the trust before she dies. Usually, the trust ends after Rose dies and the trustee distributes the financial accounts and real property to the beneficiaries she designated in the trust.

What property does a trustee manage?

The trustee has authority only over the property transferred to the trust. A trust is ineffective unless Rose puts some of her financial accounts or property into the trust. Rose must switch ownership from her name to your name as the trustee of the revocable trust.

When you are acting as trustee you will have the legal authority to spend and invest the money and property in the trust for the benefit of Rose and any other named beneficiaries. You do not have legal authority over any financial account or property that is not titled in the name of the trust or in the name of the trustee of the trust.

Can a revocable trust be changed or revoked?

While Rose can still make her own decisions and if the terms of the trust allow her to do so, she can change or end (revoke) the revocable trust at any time.

When do your responsibilities end?

If Rose names a new trustee or ends the trust, your authority as a fiduciary and responsibilities as a trustee, end.

What if you think a change in the trust was a result of fraud or abuse?

If you think Rose does not understand the decision to take away your authority as a trustee or to end the trust, talk to an attorney, contact Montana Adult Protective Services at 1-844-277-9300, or call the local police or sheriff.

Are there other types of trusts?

Yes. Other types of trusts exist, such as a testamentary trust that is set forth in the settlor's written will. MSU Extension has a MontGuide explaining testamentary trusts.³

A testamentary trust does not legally exist until the will maker ("settlor" of the testamentary trust) dies and the will becomes valid as a part of the probate process. People have varied reasons for making trusts. This guide only covers revocable trusts.

Revocable trusts usually have a family member or friend as a trustee. Some other types of trusts occasionally use professional trustees, such as a bank or a trust company.

Do not expect others to know what a trustee is or does

Others may not understand that you have become a trustee for Rose's assets because of being named in the trust document. They may think that you have more authority or less authority than you really have. You may need to educate them. Share a copy of this guide with them, or suggest they could talk to an attorney if they have questions.

³ See, for example, MSU Extension MontGuides: *Revocable Living Trusts* store.msuextension.org/publications/FamilyFinancialManagement/MT199612HR.pdf and *Testamentary Trusts in Montana* store.msuextension.org/publications/FamilyFinancialManagement/MT202113HR.pdf

FOUR BASIC DUTIES OF A FIDUCIARY

Duty 1: Act only in the best interest of Rose

Because you are responsible for the trust's money and property, your duty is to make decisions that are best for Rose. Your trustee duties are owed exclusively to Rose.⁴ This means you must ignore your own interests and needs, or the interests and needs of other family members or friends.

To act in the best interest for Rose, follow these guidelines:

- **Read the trust document and do what it says.** Your authority is limited to what the trust document and Montana law allow. There may be duties required by Montana law even if they are not in the trust document. Talk to an attorney if there is anything written in the trust document you do not understand. Follow Rose's directions even if you have the best intentions and want to do something different. Even if her verbal directions differ from the trust document, Montana law allows you to follow verbal directions.⁵ However, Rose should put her directions in writing. The writing should be signed and dated by her in case there are questions about actions you took based on her verbal directions.
 - **Understand when your duty as trustee becomes effective.** The trust document may say that you become a trustee or a co-trustee right away or only when Rose can no longer make her own decisions. Check to see if the document explains how to know when Rose can no longer make her own decisions. If you are still unsure, seek legal advice from an attorney.
 - **Avoid conflicts of interest.** A conflict of interest happens if you make a decision about Rose's money or property in the trust that may benefit someone else at the expense of Rose. As a fiduciary, you have a strict duty to avoid conflicts of interest—or even the appearance of a conflict of interest.
- **Do not borrow, loan, or give the trust's money to yourself or others.** Even if the trust document allows gifts or loans, consider whether the trust can afford them. Ask yourself, are the gifts or loans in line with what Rose would want? An attorney can advise you about any effects on Rose's taxes or about her plans to give away her property before or after she dies.
 - **Avoid changing Rose's plans for giving away her money or property when she dies.** There may be rare situations in which changing Rose's plans would be in her best interest. But you should get legal advice to make sure the trust document or Montana law allows you to do so.
 - **Before you pay yourself for the time you spend acting as Rose's trustee, check the trust document.** If the trust document does not specify trustee compensation, Montana law allows you to pay yourself *reasonable* compensation.⁶ Carefully document how much time is spent performing trustee duties and describe what was done. Talk to an attorney or accountant if you have questions about reasonable compensation.

Avoid conflicts of interest

Sometimes people have good intentions but do things they should not. Because you are now a fiduciary, you should avoid conflicts of interest. Here are a few examples:

Should you sell trust assets to yourself?

Selling Rose's trust assets to yourself is presumed to be a conflict of interest under Montana Law. Trust beneficiaries may void the sale.

Should you do business with family members?

Like most people, Rose needs homeowners' insurance. Because your spouse sells insurance, you decide to buy Rose's insurance from him without shopping around for better coverage or prices from other insurance agents. Montana law presumes this is a conflict of interest.

⁴ Mont. Code Ann. § 72-38-603(2).

⁵ Mont. Code Ann. § 72-38-603(1).

⁶ Mont. Code Ann. § 72-38-708.

Duty 2: Manage the money and property in the trust carefully

As Rose's trustee, you may pay her bills, oversee her bank accounts, and pay for things she needs. You may also make investments, pay taxes, collect rent or unpaid debts, get insurance if needed, and do other tasks written in the trust document.

You have a duty to manage the money and property in the trust very carefully. Use good judgment and common sense. As a fiduciary, you must be even more careful with the trust's financial assets than you would be with your own.

Follow these guidelines to help make careful decisions:

- **List the trust's money, property, and debts.** You need to know what Rose's trust owns and owes to make careful decisions. A list could include:
 - Checking and savings accounts
 - Pension, retirement, annuity, rental, public benefit, or other income
 - Real estate
 - Cars and other vehicles
 - Vessels such as boats
 - Insurance policies
 - Stocks, bonds, mutual funds, and exchange-traded funds
 - Jewelry, furniture, and any other items of value
 - Unpaid credit card bills and other outstanding loans

The trust document may require that the list be shared with specified beneficiaries whose names appear on the document.

- **Protect the trust's property.** Keep the trust's money and property safe. You may need to put valuable items in safe deposit boxes, change locks on a home and other buildings, and make sure her home or other property is insured. Make sure bank accounts earn interest if possible and have low or no fees. Review bank, credit card, and other financial statements promptly. If the trust has real estate, keep it in good condition.

- **Invest carefully.** Talk to a financial professional or attorney about safe and legal ways to invest the trust's assets. The Securities and Exchange Commission (SEC) provides tips on choosing a financial professional at: [sec.gov/investor/alerts/ib_top_tips.pdf](https://www.sec.gov/investor/alerts/ib_top_tips.pdf). Discuss choices and goals for investing based on Rose's needs and values.
- **Pay bills and taxes on time.**
- **Cancel any insurance policies that Rose does not need.**
- **Collect debts.** Find out if anyone owes Rose or the trust money, then try to collect.

Can Rose get any benefits?

Find out if Rose is eligible for any financial or health care benefits from an employer or the state or federal governments. These benefits could include pensions, disability, Social Security, Medicare, Medicaid, Veterans benefits, housing assistance, or food stamps (now known as Supplemental Nutrition Assistance Program or SNAP). Use the National Council on Aging benefits check-up at: [BenefitsCheckUp.org](https://www.benefitscheckup.org)

Help Rose apply for the benefits. The Area Agency on Aging where Rose lives can help to find information. Find the local Area Agency on Aging at: dphhs.mt.gov/sltc/aging/areaagenciesonaging

Medicaid is complicated.

Seek legal advice and be careful about decisions that may affect Rose's eligibility for Medicaid. The Medicaid program provides medical assistance and long-term care to low-income people. Find more about Montana Medicaid at: dphhs.mt.gov/MontanaHealthcarePrograms/index and from the MSU Extension MontGuide "Medicaid and Long-Term Care Costs": store.msuextension.org/publications/FamilyFinancialManagement/MT199511HR.pdf

Duty 3: Keep the trust property separate

Never mix money or property in Rose's trust with your own or anyone else's.⁷ Mixing money or property makes ownership unclear. Confused records could cause trouble with Rose's family and with government agencies such as Montana Adult Protective Services and the local police or sheriff.

Follow these guidelines:

- **Separate means separate.** Never deposit the trust's money into your own or someone else's bank account or investment account...not even temporarily.
- **Never hold title to the trust's money and property in your own name.** Every document should show the owner of the assets as "*your name as trustee of the Rose Roe Revocable Trust.*" This language shows other people that the money and property belong to the trust and not to you.
- **Know how to sign as trustee.** Sign all checks and other documents relating to the trust's money or property to show that you are Rose's trustee. For example, you should sign "John Doe, as trustee of the Rose Roe Revocable Trust." Never just sign using the name "Rose Roe" or your name.
- **Pay Rose's expenses from the trust funds, not yours.** Spending your money and then paying yourself back makes it difficult to keep good records. If you really need to use your money, keep receipts for the expenses and keep a good record of why, what, and when you paid yourself back.

⁷ Mont. Code Ann. § 72-38-810(2).

⁸ Mont. Code Ann. § 72-38-813.

Duty 4: Keep good records

You must keep true and complete records of the money and property in Rose's trust. The trust document or Montana law may require you to share those records with specified trust beneficiaries.⁸

Practice good recordkeeping:

- **Keep a detailed list of everything the trust receives and spends.** Records should include amounts of checks written or deposited, dates, reasons, names of people or businesses involved, and any other crucial details.
- **Keep receipts and notes, even for small expenses.** For example, write "\$50, groceries, ABC Grocery Store, May 2, 2022" in the records, soon after money is spent.
- **Avoid paying in cash.** Avoid paying any of Rose's expenses with cash. Also, try not to use the trust debit card to withdraw cash or write checks to "Cash." If cash is needed, be sure to keep receipts and notes about the reason for using cash.
- **Getting paid?** The trust document may say you can be paid out of trust funds for services performed. Keep track of how much time the duties took when you functioned as the trustee, and why you took the action you did while acting as trustee. If the trust document does not say anything about trustee compensation, Montana law allows you to pay yourself *reasonable* compensation. Keep detailed, updated records of what work you did, the time it took, and when and why you did it.

MORE THINGS YOU SHOULD KNOW

What if there are other fiduciaries?

Co-trustees

Rose may have named herself as co-trustee with you. Or, she may have named someone else to function as co-trustee with you. The trust document may say whether you and any co-trustees can make decisions alone or must agree on decisions. If the trust document provides for co-trustees but does not describe a co-trustee acting alone or requiring agreement on decisions, Montana law requires all co-trustees to take part in decisions and permits a decision by a majority of the co-trustees.⁹

Coordinate with any co-trustee and share information about decisions. Even if you and a co-trustee do not agree on all decisions, you cannot let a co-trustee do something that harms Rose. You will likely still be responsible.¹⁰ You must act in the best interest of Rose.

Successor trustees

Rose may have named a successor trustee to act for her if you are not able to be the trustee. A successor trustee has no authority if you are still willing and able to function as trustee.

Other types of fiduciaries

Other fiduciaries may have the authority to make decisions for Rose. For example, she may have a conservator appointed by the district court judge, a representative payee who manages her Social Security benefits, or a VA fiduciary who oversees a veteran's benefits. Cooperate with other fiduciaries and keep them informed.

Government benefits require special fiduciaries

As trustee, you cannot manage Rose's government benefits such as Social Security, Railroad, or Veterans benefits, unless:

1. Benefits are paid directly into her trust, or
2. You have been appointed by the government agency as, for example, a representative payee for Social Security benefits or VA Fiduciary to manage a veteran's benefits. For more information, contact the appropriate government agency.

More than one beneficiary?

If the trust document allows for more than one beneficiary after the death of Rose, then you have a fiduciary duty to each beneficiary. The trust document may describe these duties.

Montana law requires you to be impartial when performing duties as trustee.¹¹ You cannot show bias towards any one beneficiary. Because each beneficiary's needs are different, you do not have to treat everyone the same. But you must act in each beneficiary's best interest in an unbiased way.

Talk to an attorney about the duties if the trust has named more than one beneficiary.

How can you avoid problems with family members or friends?

Family or friends may not agree with your decisions about money and property in Rose's trust. To help reduce any friction, follow the four basic duties of a fiduciary.

Sharing information may help. With the permission of Rose, for example, you may share any accounting or summaries of how you have spent money in the trust.

⁹ Mont. Code Ann. § 72-38-703.

¹⁰ Mont. Code Ann. § 72-38-703(8).

¹¹ Mont. Code Ann. § 72-38-803.

Respond to family members questions about a decision when it happens rather than deal with suspicion and anger that may build over time.

However, there may be family members or friends who may be difficult to communicate with because of past interactions, and you may decide not to share information with them. Use your best judgment.

If family members or friends do not agree with decisions, is there a mutually respected person to help sort out the disagreement?

What should you do when Rose dies?

Re-read the trust document. If you are not sure what it means, talk to an attorney.

Rose's trust is now irrevocable. Montana law requires you to notify trust beneficiaries of the trust's existence within 60 days of your learning of Rose's death.¹²

Your fiduciary duties, which you formerly owed exclusively to Rose, are now owed to all the trust's beneficiaries. You must act only in their interest.

If the trust is to end, determine the beneficiaries who should receive the trust money and property. Consider sending the beneficiaries a proposal for distributing the trust money and property. Tell them to respond within 30 days of receiving the proposal if they have any objections.¹³

If the trust is to continue, follow the directions in the trust document. If you are not sure what the trust document means, seek legal advice.

What should you know about working with professionals?

In managing the trust's affairs, you may need help from professionals such as attorneys,¹⁴ brokers, financial advisors, accountants, real estate agents, appraisers, psychologists, social workers, doctors, nurses, or care managers. You can pay them for their services with money from the trust.

If you need help from any professionals, remember these tips:

- **Check on the professional's qualifications.** Most professionals must be licensed or registered with the State of Montana. Check credentials with the proper government agency. Make sure the license or registration is current, and the professional is in good standing. Check the professionals' complaint history.
- **Interview the professional thoroughly.** Ask questions about topics you do not understand.
- **Review contracts carefully before signing.** Before hiring any professionals, ask for their proposed plan of work and the expected fee.
- **Make your own decisions based on facts and advice.** Listen to their advice, but remember as the trustee, you are the decision-maker.

¹² Mont. Code Ann. § 72-38-813(2)(c).

¹³ Mont. Code Ann. § 72-38-817.

¹⁴ If you are selecting an attorney, review the following MontGuide: store.msuxextension.org/publications/FamilyFinancialManagement/MT202107HR.pdf

WATCH OUT FOR FINANCIAL EXPLOITATION

Family, friends, neighbors, caregivers, fiduciaries, business-people, and others may try to take advantage of Rose. They may take her money without permission, neglect to repay the money they owe, charge her too much for services, or just not do things she has paid them to do. These happenings may be examples of *financial exploitation* or *financial abuse*.

Financial exploitation is **the illegal or improper use, control over, or withholding of the property, income, resources, or trust funds** of an elderly person or a vulnerable adult by any person or entity for any person's or entity's profit or advantage other than for the elderly person or the vulnerable.

As trustee for Rose, you should know the signs of financial exploitation for four important reasons:

1. While Rose may control some of her funds, she could still be exploited.
2. Even if Rose does not control any of her funds, she could still be exploited.
3. Rose may have been exploited already and you may still be able to do something about that.
4. People may try to take advantage of you as the trustee for Rose.

Knowing what to look for will help you avoid doing things you should not and protect you from claims you have exploited Rose.

Look for these common signs of financial exploitation

- You think money or property is missing.
- Rose says her money or property is missing.
- You notice sudden changes in Rose's spending or savings. For example, Rose:
 - Takes out large sums of money from her bank or credit union without explanation.
 - Tries to wire substantial amounts of money to a person or organization.
 - Frequently withdraws money from the ATM.
 - Is not able to pay the bills she usually pays.
 - Buys things or services that do not seem necessary.
 - Puts someone's name on her bank or other accounts you do not recognize, or she is unwilling or unable to explain who the person is.
 - Does not receive bank statements or bills.
 - Makes new or unusual gifts to family or others, such as a "new best friend."
 - Changes beneficiaries of a will, life insurance, or retirement funds.
 - Has a caregiver, friend, or relative who suddenly begins managing her money.
- Rose says she is afraid of or seems afraid of a relative, caregiver, neighbor, or friend.
- A relative, caregiver, friend, neighbor, or someone else keeps Rose from having visitors or phone calls, does not let Rose speak for herself, or seems to be controlling her decisions.

What should you do if you believe someone has exploited Rose?

(See *Where to Go for Help* on page 16 for addresses and phone numbers.)

- Call the emergency 911 number if Rose is in immediate danger.
- Call local adult protective services, the police, or the sheriff. Individuals in certain positions such as doctors, dentists, social workers, law enforcement officials, and ambulance attendants are required by law to report if they believe Rose has been exploited.
- Alert Rose's bank, credit union, or credit card company.
- Call the local county attorney.
- Call the Montana state, regional, or local long-term care ombudsman program if Rose is in a nursing home or assisted living facility. State: 800-332-2272. Regional or local: 800-551-3191.
- Consider talking to an attorney about protecting Rose from further exploitation or getting back money or property taken from her.

Each agency or professional has a different role, so you may need to call more than one. For more information, see **Where to Go for Help** on page 16 of this guide.

BE ON GUARD FOR CONSUMER SCAMS OR FRAUDS

As trustee for Rose, you should protect her money from consumer scams as well as financial exploitation. Criminals and con artists have a variety of scams and change them often. They seek unsuspecting people who have access to money. Learn to spot consumer scams against Rose—and against you as her trustee.

How can you protect Rose from scams?

Consumer scams happen on the phone, through the mail, e-mail, or the internet. They occur in person, at home, or at a business. Here are some tips:

- **Help Rose by placing her number on the National Do Not Call Registry.** Go to donotcall.gov or call 1-888-382-1222.
- **Do not share numbers or passwords for Rose's accounts, credit cards, or Social Security,** unless you know whom you are dealing with and why they need the information.
- **After hearing a sales pitch, take time to compare prices.** Ask for information in writing and read it carefully.
- **Too good to be true?** Ask yourself why someone is trying so hard to give Rose a “great deal.” If the deal sounds too good to be true, it probably is.
- **Watch out for deals that are only “good today” and that pressure you to act quickly.** Be suspicious if the individual does not give you or Rose enough time to read a contract or get legal advice before signing. Also watch out if you or Rose are told you need to pay the seller quickly, for example by wiring the money or buying an eGift card and sending it online.
- **Never pay up front for a promised prize.** Suspect a scam if you or Rose are required to pay fees or taxes to receive a prize or other financial windfall.

- **Watch for signs Rose already has been scammed.**

For example, does she receive a lot of mail or e-mail for sweepstakes? Has she paid people you do not know, especially in other states or countries? Has she withdrawn large sums of money out of the bank or credit union while she was with someone she recently met? Does she have a difficult time explaining how she spent that money? Is she suddenly unable to pay for food, medicine, or utilities?

What can you do if you believe Rose has been scammed?

If you suspect a scam, get help. Contact a local, state, or federal agency, depending on the type of scam. You may also need to talk to an attorney.

Local agencies to call are adult protective services, the long-term care ombudsman program, the police or the sheriff.

One state agency to call is the Office of Consumer Protection of the Montana Department of Justice.

Call a federal agency if scammers are in other states or countries. Federal agencies are the Consumer Financial Protection Bureau, the FBI, the Federal Trade Commission, or the U.S. Postal Inspection Service.

Each of these agencies and professionals has a different role so you may need to call more than one.

For more information and phone numbers of the above agencies see **Where to Go for Help** on page 16 of this guide.

Common Consumer Scams

Relative in need	Someone who pretends to be a family member or friend calls or e-mails to say they are in trouble and need money wired right away.
Charity appeals	You get a call or letter from someone asking for money for a fake charity—either the charity does not exist, or the charity did not call or write to you.
Lottery or sweepstakes	You get a call or e-mail saying you have a chance to win a lot of money through a foreign country’s sweepstakes or lottery. The caller will offer tips about how to win if you pay a fee or buy something. Or the caller or e-mail says you already have won, and you must give bank account information or pay a fee to collect winnings.
Home improvement	Scammers take money for repairs, then they never return to do the work, or they do shoddy work. Sometimes they break something to create more work or say that things need work when they do not.
Free lunch	Scammers invite you to a free lunch and seminar. Then they pressure you to give your information and to invest money with them. They offer you “tips” or “guaranteed returns.”
Free trip	Scammers say you have won a free trip, but they ask for a credit card number or advance cash to hold the reservation.
Government money	You get a call or letter that seems to be from a government agency. Scammers say that if you give a credit card number or send a money order, you can apply for government help with housing, home repairs, utilities, or taxes.
Drug plans	Scammers pretend they are with Medicare prescription drug plans and try to sell Medicare discount drug cards that are not valid. Companies with Medicare drug plans cannot send unsolicited mail, emails, or make phone calls.
Identity theft	Scammers steal personal information—such as a name, date of birth, Social Security number, account number, and mother’s maiden name—and use the information to open credit cards or get a mortgage in someone else’s name.
Fake “official” mail	Scammers send letters or e-mails that look like they are from a legitimate bank, business, or agency to try to get your personal information or bank account number.

WHERE TO GO FOR HELP

Local and Montana state agencies

Montana Adult Protective Services

1-844-277-9300

<https://dphhs.mt.gov/SLTC/aps/index>

Montana Area Agency on Aging

Find the local agencies that can give information about aging and disability services and whether there are any support groups for fiduciaries or caregivers by contacting the National Eldercare Locator.

1-800-677-1116

www.eldercare.acl.gov

Montana Attorney General

1-406-444-2026

<https://dojmt.gov/agooffice>

Montana Office of Consumer Protection

1-800-481-6896

<https://dojmt.gov/consumer>

Montana County Attorneys

Check the local directory

www.mtcoattorneysassn.org/prosecutors/

Montana Long-Term Care Ombudsman

1-800-332-2272

dphhs.mt.gov/sltc/aging/longtermcareombudsman/

Montana Medicaid/Medical Assistance

1-800-362-8312

dphhs.mt.gov/montanahealthcareprograms/memberservices

Medicaid Fraud Control Unit

1-800-376-1115

dojmt.gov/enforcement/investigations-bureau

Police or Sheriff

Find a local enforcement agency by checking the local directory.

Federal agencies

Many federal agencies play a role in combating fraud and abuse and educating consumers. Contact them for more information.

Consumer Financial Protection Bureau

1-855-411-CFPB (411-2372)

consumerfinance.gov

Do Not Call Registry

1-888-382-1222

donotcall.gov

Federal Bureau of Investigation Field Office Salt Lake City

801-579-1400

www.fbi.gov/how-we-can-help-you/safety-resources/scams-and-safety

Federal Trade Commission

1-877-FTC-HELP (382-4357)

consumer.ftc.gov

Financial Crimes Enforcement Network

1-800-767-2825

www.fincen.gov

Postal Inspection Service

1-877-876-2455

www.uspis.gov

Social Security Administration

1-800-772-1213

www.ssa.gov/payee

Department of Veterans Affairs

1-888-407-0144

benefits.va.gov/fiduciary

For legal help

Free legal services for people over age 60

Find local programs that provide free legal help to people over age 60 by contacting the national Eldercare Locator.

1-800-677-1116

eldercare.acl.gov

Free legal services for low-income people

Find local programs that provide free legal help to low-income people on the website of the Legal Services Corporation.

www.montanalawhelp.org

