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Conservator Will Be Held Accountable for Depleting Elderly Woman's Life Savings

Judge Cesar Noble of the Hartford Superior Court issued a decision in consolidated probate appeals for 77 year-old Ruth Strong, that holds her former conservator, Attorney Lisa Foy, accountable for failing to spend down Strong's savings in a way that would have sheltered them, and for exposing Strong to liability for an unpaid bill to the nursing home.

Newington Probate Court Judge Robert Randich issued a decision in July 2019 approving the financial accounting submitted by Foy. A second decision a few months later left Strong with a bill for just under \$2,000.00. Ms. Strong appealed both decisions to the Superior Court to recover her lost savings. The Superior Court reversed the probate court decision and held the former conservator accountable for not considering a special needs trust to protect Ms. Strong's savings. The Superior Court judge also said that the conservator could not delegate her responsibilities for protecting Ms. Strong's assets to others without following up. The Superior Court ruled that Judge Randich had made findings and conclusions which were "not fairly and reasonably drawn from the facts." The probate court judge had ignored expert testimony and drawn unsupported conclusions to rule that the conservator did nothing wrong.

The Superior Court's decision allows Strong's action for damages against the former conservator to proceed. This decision denies immunity to Foy for those parts of the probate court decision that were reversed.

Attorney Marilyn Denny, who represented Ms. Strong in the Probate Court action for accounting said, "Foy's actions resulted in the financial ruin of the woman she (and the probate court) were charged with protecting. It was troubling that the probate court judge sought to protect the conservator rather than Ruth. It is good that Ruth will be able to sue for damages in Superior Court. It has been especially distressing for Ruth to have her conservator pay her entire life savings over to the nursing home and leave her with a debt to the nursing home."

The link to the decision is here:

<http://civilinquiry.jud.ct.gov/DocumentInquiry/DocumentInquiry.aspx?DocumentNo=20997458>

Connecticut Legal Rights Project is a non-profit Connecticut corporation providing high quality legal services to low income persons with mental health conditions, who reside in hospitals or the community, on matters related to their treatment, recovery, and civil rights.

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