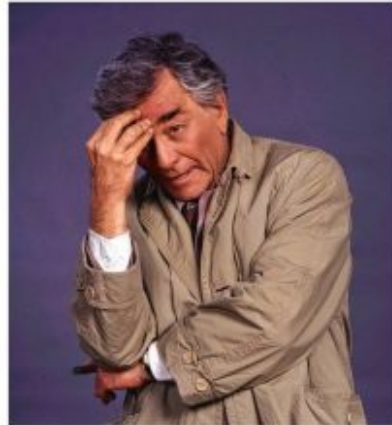


Print Media: Peter Falk's Law, Right of Association

Peter Falk's Law, named after actor, passes NY State Legislature



Peter Falk starred as a detective on "Columbo" for many years. The New York State legislature passed a law in 2016 that named the law after him. (Photo: Getty Images)

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MORE NEW YORK NEWS

New York: Peter Falk's Law, 2016

Politics & Government

Law Named for Ossining Native Son Peter Falk Will Help Family, Friends of the Dying

"Peter Falk's Law" has to do with end-of-life notices and visitation rights.

By Larving Talafiero (Patch Staff) - July 22, 2016 7:25 am ET



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New York News: Peter Falk's Law

COMING TO THE AID OF LT. COLUMBO

"My office received an email last June 2014 from Catherine Falk, the daughter of the late Peter Falk, who starred in the TV series "Columbo" from 1971-2001. During that time, Peter Falk received five Emmys for his portrayal of the headlining, trench-coat wearing, but crazy and clever Lt. Columbo of the Los Angeles Police Department. This was one of my favorite TV shows, and clearly I was not alone given the fan-base of Peter Falk and this character.



Peter Falk's daughter Catherine, however, was calling my office for help in a real-life situation that was most painful for her. Catherine Falk has been on a journey that started in 2009 when she went to trial fighting in probate court for visitation rights under the conservatorship umbrella held by her dad's second spouse, who was isolating not only Catherine, but also her sister Jackie, family members, his first wife Alice and his friends from access to her father. Catherine Falk mentioned that, "Once again greed and money were at the bottom of the problem for the isolation of an elderly parent."

Recently, a similar case involving the children of Casey Kasem was in the news involving the current spouse denying children and family access to their father.

In contacting me, Catherine Falk wanted help in getting legislation passed in New York State that would amend the law in relation to guardianship duties and visitation claims. Catherine noted that her father, Peter Falk, was born and raised in New York. He parents met at and graduated from Syracuse University, as she did. Catherine knew that I was also a life-long New Yorker and a graduate of Syracuse University, so she took a "hop-of-faith" that I would help her and other families struggling through these lesser-resolving situations. And so I did.

I have sponsored Assembly bill A.3461, which will protect the rights of adult children of a parent currently under a conservatorship. Current law does not provide a proper avenue for adult children to petition the courts in New York for reasonable visitation rights. The proposed bill creates a legal process by which the adult children can petition the court if they are unreasonably being denied visitation or improperly isolated by the conservator. It also requires the guardian to advise relatives if the parent is admitted to the hospital, notify them if they have died, and in the case of death notify them of any funeral and/or burial arrangements. Senator John Defranco is sponsoring the companion legislation (S.3174) in the Senate.

Since 2009, Catherine Falk has fought for a California visitation rights bill and she expects it to become law soon. "Peter Falk bills" are also being considered in the states of New Jersey, Florida and the District of Columbia. A visitation bill was enacted in the state of Iowa in April 2015.

Catherine Falk is committed to her goal of passing similar legislation throughout the U.S. She is using her own money for any expenses incurred during her campaign and any donations are being asked for or accepted. Catherine does not believe anyone pursuing similar legislation should ever make money from this kind of work. Falk said, "It seems that people get side-tracked and try to get fame and fortune from getting legislation like this passed. I seek neither. I only want to see an one else live precious time with their parent."

Catherine is grateful for the support I have given her in spearheading this effort in New York State. She states, "This is the 4th Anniversary of Peter Falk's death and it would be great to get this bill passed in New York this year." Falk continues, "My dad always told me "go get them kid." He always taught me to stay true to myself and stay true to who I am, and to fight for what I know is right. "This truly was how he lived his life on and off the screen."

I am hopeful that the "Peter Falk Bill" will be passed and signed into law. The new legislation will be named in honor of the late Peter Falk, renowned actor, New York native and Syracuse University Alumnus. This final chapter of "Columbo" deserves a happy ending."

Will Magnarelli

News Release: New York Sponsorship
Assemblyman
Magnarelli, 2016



New York Appreciation Letter

For Immediate Release: 7/21/2016 GOVERNOR ANDREW M. CUOMO

GOVERNOR CUOMO'S "PETER FALK'S LAW" LEGISLATION ESTABLISHING END OF LIFE VISITATION REQUIREMENTS

Governor Andrew M. Cuomo today signed "Peter Falk's Law," legislation requiring guardians for end-of-life visitation rights regarding incapacitated individuals subject of legal proceedings involving:

The bill (A.3461-C/S.3174-C), requires the court order appointing a guardian to protect the case of an incapacitated person to identify all individuals who are protective parties of capacity, death, funeral and burial arrangements.

"Creating a formal end-of-life plan that will bring up the issues to be decided in probate court earlier," Governor Cuomo said, "This measure will help ensure an individual's friends and family will have an opportunity to voice their love and joy their respect at the critical end-of-life stage."

In some circumstances under the current law, legally-appointed guardians have failed to notify family members or close friends of the individual when they become ill, are admitted to the hospital or pass away. By requiring the identification and notification of other family and friends, this law will help ensure legal guardians will be able to appropriately advise an incapacitated person's end-of-life wishes.

Senator John S. Defranco said, "I am very pleased that Governor Cuomo has signed this bill to become Peter Falk's Law. For many years, there should be remedy. This law will help preserve and end-of-life wishes from their family, while ensuring that none of us are abandoned by the person's estate and ultimately protecting the person's death, funeral and burial arrangements."

Assemblyman William R. Magnarelli said, "I want to thank the Governor for signing this important bill into law. The bill is named in honor of the legendary actor, Peter Falk. Peter Falk was a native of New York and a graduate of Syracuse University. His law will protect the rights of adult children and relatives when a parent is placed under the care of a guardian. It will protect their right to be notified of a parent's passing, and if they have been subjected to abuse, to be able to petition the court to modify the guardianship order. This issue was brought to the attention by Catherine Falk, Peter's daughter. When her father became ill, she was prevented from seeing him and was surrounded by major strategic legal decisions. This legislation is a tribute to her and to other families facing the improper isolation of relatives by a guardian. I want to thank Catherine for her tireless advocacy in getting this important bill passed."

"Peter Falk's Law" was unveiled by the end-of-life members of the law actor and "Columbo" star Peter Falk. His 14th daughter had alleged her mother's second wife obtained conservatorship of her and blocked all contact with other family members at the end of his life.

New York Press Release, 2016



Todd Weiler, Utah Senate District 23

May 30 · 🌐

Here is one of the bills I'm drafting for 2016: <http://www.myfoxla.com/.../catherine-falk-pushing-for-parenta...>



Catherine Falk Pushing For Parental Visitation Laws

News, weather, traffic, entertainment and sports for the Greater Los Angeles area. Watch FOX 11 News, Good Day LA and Studio 11 LA for LA news, breaking news and celebrity interviews.

WWW.MYFOXLA.COM

Utah: Sponsor, Senator Todd Weiler, 2016

Governor Andrew M. Cuomo today signed "Peter Falk's Law," legislation that requires guidelines for end of life notices and visitation rights regarding incapacitated individuals subject of legal guardianship proceedings.

The bill (A.3461-C/S.5154-C), requires the court order appointing a guardian to oversee the care of an incapacitated person to identify all individuals who are entitled to notice of a person's death, funeral and burial arrangements.

"Losing a loved one is always hard, but not being given the chance to say goodbye is perhaps even harder," **Governor Cuomo said**. "This measure will help ensure an individual's friends and family will have an opportunity to express their love and pay their respects at this critical and trying time."

In some circumstances under the current law, legally-appointed guardians have failed to notify family members or close friends of the individual when they become sick, are admitted to the hospital, or pass away. By requiring the identification and notification of other family and friends, this law will help ensure legal guardians will no longer be able to improperly isolate an incapacitated person at the end of their lives.

Senator John A. DeFrancisco said, "I am very pleased that Governor Cuomo has signed my bill to become Peter Falk's law. For every wrong, there should be a remedy. This law will help to protect the sick and dying from isolation from their family, while ensuring that next of kin are informed of the person's condition and ultimately notified of the person's death, funeral and burial arrangements."

Assemblyman William B. Magnarelli said, "I want to thank the Governor for signing this important bill into law. The bill is named in honor of the legendary actor, Peter Falk. Peter Falk was a native of New York and a graduate of Syracuse University. This law will protect the rights of adult children and relatives when a person is placed under the care of a guardian. It will protect their right to be notified of the person's passing and if they have been admitted to the hospital. It also allows the appointing court to identify those entitled to visitation in the guardianship order. The issue was brought to my attention by Catherine Falk, Peter's daughter. When her father became ill, she was prevented from visiting him and was not notified of major changes in his condition. This inspired her to become an advocate for other families facing the improper isolation of a relative by a guardian. I want to thank Catherine for her tireless advocacy in getting this important bill passed."

"Peter Falk's Law" was sparked by the end-of-life treatment of the late actor and "Columbo" star Peter Falk. Mr. Falk's daughter had alleged the actor's second wife obtained conservatorship of him and blocked all contact with other family members at the end of his life.

New York Press Release, 2016



I invited Catherine Falk to speak for my bill. She is the daughter of Peter Falk, famous for starring in the TV series, Columbo. Catherine related the experience that she had in trying to visit her father who was dealing with medical issues including Alzheimer's. Her step-mother blocked her access to visit him, and Catherine was forced to spend over \$100,000 on attorney's fees in fighting for the right to visit her father. Catherine pointed out that she did not want to obtain a conservatorship or power over Mr. Falk's assets, she just wanted to have the freedom to visit her father. She said, "Our bill is designed to stop bad guardians from isolating their wards with no accountability for their actions." She went on to say that, "It protects the growing number of people who are currently falling through the cracks and they have absolutely nowhere to go for help. Our bill is not designed to make it harder for good guardians to do their job. Our bill helps to impede those who are wrongly isolating their wards with no accountability." She explained that the bill requires the guardian to provide the burden of proof to the judge in order to override an incapacitated person's wishes.

Utah News: Senator Todd Weiler, 2016 Right of Association, SB 111 (Peter Falk Bill)



New Jersey Press
Release:
Assemblyman
Dancer

Capitol Hill Week

Legislation works to prevent conservators from isolating their ward from visitation with family members

The Senate Judiciary Committee has approved a bill, sponsored by Senator Rusty Crowe (R-Johnson City), to restrict the ability of a conservator to isolate their ward from visitation by family members or loved ones without just cause. A conservator is a legally appointed guardian of a disabled person. Under current law, a conservator can restrict visitation and communication with the ward in Tennessee without going to court, even when it involves communication or visits by a family member. Crowe said that, due to the growing number of divorces, this has become a problem when there is conflict between children of an incapacitated adult whose spouse has been named the conservator.

"We are seeing a growing number of cases of Alzheimer's disease, dementia and other disabilities which call for a conservator to be appointed," said Sen. Crowe, who is Chairman of the Senate Health and Welfare Committee. "This gets very difficult when there are strained family relationships between the conservator and the ward's family members and it involves the decision that no communication should occur."

"Presently, the conservator has power over the ward to control many things, including who can visit them, even when they are in a long term care facility," he added. "What we are trying to accomplish with this legislation is to balance the rights of the ward to continue strong family relationships after they are incapacitated, while providing ample protection through the court when it is not in their best interest and the conservator objects."

Catherine Falk, daughter of actor Peter Falk, most notably of the Colombo television series, and Marisa Southwick with "Boomers Against Elder Abuse" testified during the committee meeting. Falk talked about her own personal suffering as she was denied contact with her ailing father during his last days, saying she was left with virtually no recourse because his second wife obtained conservatorship of him. Falk told committee members that wards and their families suffer terribly by oral acts of isolation from loved ones, which can constitute illegal retaliation under the Americans with Disabilities Act of 1990 (ADA) and Civil Rights Act of 1964. Falk and Southwick are working with legislators across the U.S. in promoting the bill nationwide.

Senate Bill 2011 provides the ward has a right to visit, communicate or interact with family and loved ones and that a conservator shall not restrict it unless specifically authorized by a court order. It also provides a process by which the conservator can petition the court to place

Tennessee: Campbell~Falk Bill, 2016

Campbell Falk BILL now LAW



The brand new Law protects a person who have become wards of the State or who have conservators controlling their finances, day to day living and visitation. These poor wards are not even allowed to get mail, a very basic right that is given even to death row inmates.

This new law helps to prevent abuse of the system and those conservators and protects the Wards. Now Travis and Debby will have liberal visitation to their father and so will all the other people that this BILL turned LAW affects in Tennessee.

Congratulations Travis Campbell, Debby Campbell and most especially Catherine Falk, the daughter of Peter Falk who is getting this Bill or Bills similar to it passed state by state. She has worked so long and hard on this so that what happened to her and her father will never happen to another human being again.

[Click here to read the BILL](#) at the Catherine Falk Organization website.

Tennessee: Campbell~Falk Bill, 2016

Actor Peter Falk's Daughter Pushing For Change In Legal Guardianship Law

January 27, 2016 4:26 PM

Filed Under: Catherine Falk, Colorado Bar Association, Colombo, Laura Woods, Legal Guardianship, Peter Falk, Peter Falk Bill



Bill Concerning Legal Guardianship

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DENVER (CBS4) — Some Colorado lawmakers want to strip some of the decision making power from legal guardians, and they're getting help from the daughter of a famous actor.

The bill is named after Peter Falk, the actor who played Columbo on TV. What it does seems basic — it simply allows families to see their loved ones when they become incapacitated. It's about the power of guardians and the rights of some of the most vulnerable Coloradans.

Peter Falk was known to TV viewers as the disheveled, endearing detective Columbo. Catherine Falk knew him as "Dad."

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Colorado Sponsorship: Senator Laura Woods

Push for change

To that end, the daughter of a late actor has led the charge.

Last week, Utah senators passed a bill that protects the rights of adult children to visit ailing parents in that state.

The bill, SB 111, places limitations on the power of a guardian to prohibit association between an adult ward and a relative.

"We are thrilled about this and we're hoping that all other states will follow," said Catherine Falk, who pushed for introduction and passage of the bill.

Falk is the daughter of the legendary "Columbo" actor Peter Falk, who in 2008 became completely incapacitated as a result of advanced dementia.

Falk's wife, Catherine Falk's stepmother, however, allegedly failed to inform Falk's children of his condition and refused to allow the actor's children to visit their ailing father, his daughter said.

In December 2008, Catherine Falk filed a petition for conservatorship of her father in the Los Angeles Superior Court in order to find out his medical condition and obtain the right to visit.

Further, Falk's wife did not notify his daughters of the actor's death. Instead, they learned of it from media reports and their attorney. Falk was buried without notification being given to his daughters.

U.S. Sen. Todd Weiler, R-Utah, who led sponsorship of the bill in the Senate, said it's important to give people a chance to visit family members before they die.

"I think most people want to make peace and express their love and sadness and maybe try to clear up any misunderstanding before someone passes away," Weiler said.

Utah News: Sponsorship Senator Todd Weiler

Todd Weiler, Utah Senate District 23
June 9 · 🌐

For you FoxNews fans ... <http://www.foxnews.com/.../columbos-daughter-pushes-for-bill.../>



'Columbo' daughter pushes for bill that protects the right to visit sick parents

It's the quirky Christmases Catherine Falk remembers the most. To us, he wasn't 'Columbo.' He was dad, she told FoxNews.com of her famous father Peter Falk.

WWW.FOXNEWS.COM

Utah Sponsorship: Senator Todd Weiler 2016

Todd Weiler, Utah Senate District 23
June 1 · 🌐

<http://www.sltrib.com/.../2.../utah-bill-would-protect-the-right>



Utah bill would protect the right to visit ailing parents

A Utah senator is working on a bill that would protect the right of adult children to visit ailing parents. Woods Cross Republican Sen. Todd Weiler said the daughter of the late actor Peter Falk ...

WWW.SLTRIB.COM | BY THE SALT LAKE TRIBUNE

Utah News: Sponsorship, Senator Todd Weiler



Capitol Hill Week

Legislation works to prevent conservators from isolating their ward from visitation with family members

The Senate Judiciary Committee has approved a bill to restrict the ability of a conservator to isolate their ward from visitation by family members or loved ones without just cause. A conservator is a legally appointed guardian of a disabled person. Under current law, a conservator can restrict visitation and communication with the ward in Tennessee without going to court, even when it involves communication or visits by a family member. Due to the growing number of divorces, this has become a problem when there is conflict between children of an incapacitated adult whose spouse has been named the conservator.

Catherine Falk, daughter of actor Peter Falk, most notably of the Columbia television series, and Marcia Southwick with "Boomers Against Elder Abuse" testified during the committee meeting. Falk talked about her own personal suffering as she was denied contact with her ailing father during his last days, saying she was left with virtually no recourse because his second wife obtained conservatorship of him. Falk told committee members that wards and their families suffer horribly by small acts of isolation from loved ones, which can constitute illegal sequestration under the Americans with Disabilities Act of 1990 (ADA) and Civil Rights Act of 1964. Falk and Southwick are working with legislators across the U.S. in promoting the bill nationwide.

Senate Bill 2021 provides the ward has a right to visit, communicate or interact with family and loved ones and that a conservator shall not restrict it unless specifically authorized by a court order. It also provides a process by which the conservator can petition the court to place restrictions upon communication or interaction by showing good cause. Some of the factors the court can consider are previous protective orders, whether the ward expresses the wish to visit and past preferences.

The legislation allows interested persons, including the ward, to petition the court if they reasonably believe a court order has been violated. If the order is knowingly violated, the proposal gives the court the authority to modify the conservator's duties or to discharge or discipline them. Finally, the bill sets out the process for courts to hear motions and stipulates that hearings will be scheduled no later than 60 days after being filed. If the ward's health is in significant decline, that would require a 10-day notice.

Tennessee Capitol News: Campbell~Falk Bill, 2016

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Glen Campbell



Campbell Falk Bill Now Law

Campbell Falk Bill Now Law will be effective on Monday, May 16, 2016 when the Governor of Tennessee Bill Haslam makes it official by applying his John Hancock to the Bill. **Glen Campbell** who has been suffering with **Alzheimer's Disease** will now have some protection.

Tennessee News: Campbell~Falk Bill

2016

The bill is named after Peter Falk, the actor who played Columbo on TV. What it does seems basic — it simply allows families to see their loved ones when they become incapacitated. It's about the power of guardians and the rights of some of the most vulnerable Coloradans.

Peter Falk was known to TV viewers as the disheveled, endearing detective Columbo. Catherine Falk knew him as "Dad."



Catherine and Peter Falk (credit: Catherine Falk)

"He was exactly the same on screen as off screen," Catherine Falk said. "He was just this tender, really funny, goofy person."

But Peter Falk's life would take a tragic turn when he developed Alzheimer's disease. His second wife isolated him, forcing his daughter to go to probate court just to see her father before he died.

"It cost me close to \$100,000 in my money, not my dad's money, my money to get in just before he passed away; that's wrong," Catherine Falk said.

Sen. Laura Woods, R-Jefferson County, agrees.

"The same program designed to protect these vulnerable citizens also exposes them to exploitation," Woods said.

Colorado News: Sponsorship, Senator Laura Woods. 2016

She's introduced a bill — named after Peter Falk — that would prohibit guardians from cutting off contact with family.

"The guardian assumes all of the rights of the person that they are guardian for; so they can say, 'No visitors, no phone calls, no mail,' and really isolate the most vulnerable in our society, which are the elderly and adults with disabilities," Woods said.

The Colorado Bar Association says the bill is unnecessary.

"A guardian is already charged to, and I quote, 'At all times act in ward's best interest and exercise reasonable care, diligence and prudence,'" a representative from the Colorado Bar Association said.



Peter Falk (credit: Catherine Falk)

But Catherine Falk says when that doesn't happen the only recourse is expensive litigation.

"The incapacitated person, the person the law intends to protect, very often ends up dying alone," Catherine Falk said.

The bill passed unanimously out its first committee Wednesday but it still has a long way to go before becoming law. Catherine Falk is fighting for similar legislation in nine other states.

Colorado News: Sponsorship, Senator Laura Woods. 2016

Laura Woods for Senate District 19, Colorado
 22 hrs · Denver, CO · 🌐

My first bill this year, SB16-026 the "Peter Falk Bill", passed unanimously out of Senate Judiciary Committee yesterday. Here is an update from CBS Channel 4. It moves now to Senate Appropriations Committee.

To read the bill go to: <http://www.leg.state.co.us/.../061E0625F0DE515E87257F24006450...>



Actor Peter Falk's Daughter Pushing For Change In Legal Guardianship Law
 Some Colorado lawmakers want to strip some the decision making power from...

DENVER.CBSLOCAL.COM | BY CBS DENVER

Colorado News: Sponsorship, Senator Laura Woods. 2016

Maddie Meyer | Washington Post
 Laws need to be changed to ensure family members can visit loved ones in hospitals and nursing homes.

By Arthur Verow and Catherine Falk, Special to the BDN
 Posted Sept. 26, 2016, at 10:57 a.m.

People all over the world know [Peter Falk](#) as Lt. Columbo, the beloved star of the hit detective show that aired in so many of our homes throughout the 1970s and beyond.

Fewer know about the struggle of his daughter Catherine to be there for him at the end of his life. When Peter Falk became incapacitated by advanced Alzheimer's disease and could no longer speak for himself, his spouse [denied his children's requests](#) to see their ailing father or even learn about his condition.

With her father's health in rapid decline, Catherine knew she had to take action in order to see her father. Because the law didn't provide for the situation she found herself in, Catherine filed a petition in California probate court as a way to find out about his health and to be allowed to see him. She fought hard [for her right to visit him](#), but it cost thousands of dollars in legal fees and immeasurable heartache.

Even so, members of Falk's immediate family were needlessly prevented from visiting and information about his condition was kept from his loved ones at the end of his life. The legal process Catherine pursued allowed her to see her father before he passed away, but it did not — and was never intended to — fully address the situation her family faced.

Maine News: Sponsorship, 2016

May 16, 2016



Jensen led way on Peter Falk Act

My name is Catherine Falk, the daughter of the late Peter Falk, best known for his role as Lt. Columbo. I had the honor to work with Sen. Phil Jensen who sponsored our Falk-NASGA Right of Association bill protecting wards wrongly isolated from family and friends in guardianships.

Our bill is a bipartisan bill that Sen. Jensen championed in South Dakota. The bill was titled after my late father, Peter Falk, in memory of millions of people faced with the possible permanency of separation, isolation, exploitation and removal from social interaction. This bill protects persons with disabilities and the elderly while holding guardians accountable for their treatment of those under their care and control. Sen. Jensen sponsored this bill with such vigor that by the time I blinked my eyes, the bill cleared both chambers and was signed by the governor.

South Dakota is the first state to pass the Peter Falk Act in the same session as a bill for South Dakota seniors and adults with disabilities from abuse, neglect and exploitation. I am so honored and excited that the Peter Falk Act has passed in the 2016 session of South Dakota

Catherine Falk

South Dakota News: Peter Falk Bill

2016

Catherine started the Catherine Falk Organization, which worked with the National Association to Stop Guardian Abuse, or NASGA, to draft legislation ensuring individuals can be visited by family members or other loved ones. At present, the guardian has absolute discretion to stop visitors. Their work together focused on a range of situations in which elders and disabled adults across the country are left vulnerable to the people with legal responsibility over their rights.

When I met Catherine and Marcia Southwick of NASGA and learned of their work, I wanted to make sure Maine families are protected from experiencing such heart-breaking situations. Much of my work as a lawmaker has focused on improving life for aging and disabled Mainers, and sponsoring the Peter Falk Bill should be part of that work.

I asked legislative leadership to allow lawmakers to consider an after-deadline bill so a solution could be considered as soon as possible. Unfortunately, the Legislative Council did not allow the measure to move forward at that time.

Despite the setback, the measure has been resubmitted for consideration during the coming session. The problem is too serious and its impact on families too tragic to continue to remain unaddressed in Maine law.

The bill would ensure that close relatives such as children and siblings are informed of their loved one's hospitalization or death. It also would allow legal recourse when immediate family members are wrongfully denied the right to see an ailing loved one.

We strongly believe that families should have somewhere to turn when they are suddenly barred from seeing a sick or incapacitated loved one. Just as importantly, those who cannot speak for themselves should not be isolated from the people who care about them.

In recent years, the importance of knowing the signs of abuse, neglect or exploitation of the elderly and incapacitated has become more widely recognized. Preventing their isolation is a crucial step to protecting some of Maine's most vulnerable citizens.

There are many devoted guardians who act in the best interest of the person they care for, but in some situations that isn't the case. Passing the Falk bill here in Maine will help defend those who are falling through the cracks.

Catherine's story began with her determination to see the father she loved with all her heart. Her experience and the stories of other families across the country have inspired us to advocate for measures that protect vulnerable citizens and their right to be surrounded by those they love. We and others in Maine are working hard to ensure that lawmakers pass the Falk Bill this upcoming session.

Rep. Arthur "Archie" Verow, D-Brewer, is serving his second term in the Maine House. Catherine Falk, daughter of actor Peter Falk, is a nationwide advocate

Maine News: Rep. Verow, Sponsorship Peter Falk's Law

2016

Peter Falk's Law designed to protect Alzheimer's and dementia patients

By Anthony J. Esca

October 5, 2016 0 Comments

Editor's Note: A bill similar to New York's recently enacted Falk's Law was introduced in the Connecticut General Assembly early this year. An amended version was unanimously approved by state lawmakers' joint Aging Committee in March but the legislation has not yet come to a vote of the full Assembly.

For 13 years, Peter Falk brilliantly portrayed Lieutenant Columbo, an LAPD detective of Italian descent, in the hit television series "Columbo." While wearing his trademark wretched caizcoat, chronically absent-minded and perpetually disheveled, Columbo would quickly and intellectually disarm a suspected murderer. Through skilled and insightful questioning and with a keen eye for detail, he was able to solve the most complex homicides.

However, just as Hollywood fantasies aside, Falk, a native New Yorker and graduate of Ossining High School, sadly is said to have spent his last days suffering from the ravages of Alzheimer's disease while allegedly isolated from his family and friends by his second wife. His court-appointed conservator under California law, As Falk's conservator, she allegedly prevented his daughter and other family members from visiting him, failed to notify them of major changes in his condition and even allegedly failed to notify them of his demise in 2011 and his funeral arrangements.

Because of her heartbreaking experience, his daughter, Catherine Falk, has fought to have legislation passed nationwide, known as Peter Falk's Law, that provides specific guidelines that guardians and conservators for an incapacitated person must comply with relevant to visitation rights and scope of end of life.

In New York, the bill was signed into law on July 27 by Gov. Andrew Cuomo. Thus, New York has become one of the many states that have adopted Peter Falk's Law.

As a result, the Mental Hygiene Law of New York was amended with three new paragraphs relevant to guardianship duties. They provide as follows:

- The order of appointment shall identify the person entitled to receive notice of the incapacitated person's death, the intended disposition of the remains of the decedent, funeral arrangements and final resting place when that information is known or can be reasonably ascertained by the guardian.
- The order of appointment may identify the person or persons entitled to notice of the incapacitated person's transfer to a medical facility.
- The order of appointment may identify the person entitled to visit the incapacitated person, if they so choose. However, the identification of such persons in the order shall in no way limit the person entitled to visit the incapacitated person.

Clearly, the intent of Peter Falk's Law is to ensure that children from a previous marriage, as well as other family members, are not denied the right to visit their incapacitated parent or loved one by a current spouse who is a guardian/conservator with whom they may have a prior relationship. The law in essence requires that the court, address the issue of visitation, notice of transfer to a medical facility and death in its initial order appointing a guardian for the incapacitated person. Ultimately, the goal is to prevent a guardian from improperly isolating his or her ward and limiting visitation.

New York News: Peter Falk's Law

2016

How the Daughter of One of America's Most Beloved Actors and Others Are Calling for Change

Conservators and guardians are often given overbroad authority over conservatees' and wards' lives. Stories of conservatees and wards being isolated or imprisoned by court-appointed protectors are far too common.

Catherine Falk, the daughter of the late Peter Falk, fought for her right to visit her father after a California Probate Court granted a conservatorship over her father by appointing his then-wife as Mr. Falk's conservator.

Catherine Falk founded the **Catherine Falk Organization** which is not a fundraising foundation nor takes any donations whatsoever; however, the organization advances and advocates wards rights visitation legislation nationwide. Falk and her former probate attorney from 2009, drafted the Peter Falk Bill completed in 2011 that was aimed at protecting, preserving and respecting the right of all adult children to visit an ailing or incapacitated parent who is either under power of attorney or under guardianship.

"When I first embarked upon the visitation legislation idea, I realized along my journey and crusade that my lens broadened with the realization that visitation legislation must encompass all wards, non wards in or out of guardianship or under POA as well as realizing the silent epidemic of guardianship abuses that are not just with the aging population but among spouses and siblings in guardianship situations." Falk also investigates elder abuse cases and advocates for victims experiencing their most treasured freedoms that are being violated by offering wonderful resources and support to those in need of help.

"My ultimate goal is to have model visitation legislation in every state that emphasizes wards rights legislation, not just parental visitation with an adult child because isolation happens among all family members including siblings, spouses, aging parents etc...that the legislation will empower wards by safeguarding their most fundamental and constitutional innate rights while maintaining personal autonomy. An ideal piece of legislation should encompass both," she added.

Act Kits

How the Daughter of One of America's Most Beloved Actors and Others are Calling for Change