

# The Pop Culture CELA: “I Care A Lot”

By Colin Adair Morgan, CELA  
April 2021

Prior to becoming an Elder Law Attorney, I spent my summers in college working at a local video-rental store stocking shelves, rewinding VHS tapes, and assisting customers with their entertainment needs. During that time, I developed a love of movies both good and bad which, to this day, still endures (unlike the mediums and store mentioned earlier...). Every once and awhile, my current career and bygone summer-job collide and I enjoy a film or show that successfully injects Estate/Elder Law concepts into entertainment and escapism. The Netflix Original “I Care A Lot” is a prime example of that overlap. This article will serve as the first in a series of explorations of Elder Law in Pop Culture.

The “Rotten Tomatoes” internet review aggregator describes the movie as.

*Poised with sharklike self-assurance, Marla Grayson (Academy Award nominee Rosamund Pike) is a professional, court-appointed guardian for dozens of elderly wards whose assets she seizes and cunningly bilks through dubious but legal means. It's a well-oiled racket that Marla and her business-partner and lover Fran (Eiza González) use with brutal efficiency on their latest "cherry," Jennifer Peterson (two-time Academy Award winner Dianne Wiest) -- a wealthy retiree with no living heirs or family. But when their mark turns out to have an equally shady secret of her own and connections to a volatile gangster (Golden Globe winner Peter Dinklage), Marla is forced to level up in a game only predators can play -- one that's neither fair, nor square.*

I found this to be an exciting, albeit dark, comedic thriller with excellent performances and tight writing. Moreover, while this story is certainly the type of greatly exaggerated interpretation of Guardianship and Elder Law I've seen in other properties (I'm looking at you, *Better Call Saul...*), the subtext of elder abuse, dereliction of fiduciaries, and the challenges our elder population faces are on full display throughout the film. Now that we've established the merits of *I Care A Lot*, let's examine the real-world implications of the film.

- **Elder Abuse:**

Marla and Fran are overtly amplified examples of the financial abuse running rampant through the United States. Posing as a caring and professional Guardianship company, the protagonists of this film manipulate legal and caregiving systems to force elderly clients into facilities while they sell off their ward's assets and collect kickbacks from long term care facilities, doctors, pharmaceutical companies, etc. While this type of salacious

behavior was fictionalized for narrative purposes, our elder population are frequent victims of financial abuse.

- **Dereliction of Duties by Fiduciaries:**

Marla's ongoing con against the elder population in the film is predicated on taking advantage of her wards. She medicates them, institutionalizes them against their will, and commits atrocious acts of abuse and neglect against her wards when they show the slightest sign of resistance. Again, while this is an extremely sensationalized take on elder abuse, it is indicative of the source of most instances of exploitation of our elders. Caregivers, fiduciaries, and loved ones are far and away the largest sources of elder abuse, exploitation, and neglect. This often springs from an almost symbiotic relationship between the abuser and the abused. The elder depends on the abuser for care and a connection to the outside world, while the abuser depends on the elder for financial backing. This type of relationship is explored, in a fictionalized fashion, to great dramatic effect in "I Care A Lot".

- **The Challenges our Elder Population Faces:**

Above and beyond the entertainment value of "I Care A Lot", the most important takeaway from the movie is the daunting challenges our elder population faces each day. The natural process of aging is complicated by factors such as: managing care, affording day-to-day living, maintaining autonomy, and knowing when to reach out for aid. Add the predatory practices of some under the auspices of serving as caregivers and fiduciaries and you are presented with an almost impossible situation to navigate as an elder. While Marla's drastic and reprehensible behavior is highly unlikely to occur, "I Care A Lot" serves to bring attention to the challenges and pitfalls our elder population faces every day.

So, now that we've seen the movie and examined the real-world considerations it presents, how do we prevent and manage the type of abuse that is so sensationally amplified in "I Care A Lot"? Thankfully, most of this can be avoided simply by investing the effort and time into setting up a well-settled Elder/Estate Plan. This includes: lining up vetted legal/financial/healthcare professionals prior to need, drafting and executing legal documents appointing responsible and reputable individuals to provide support, and maintaining this plan throughout the aging process. In summation, "I Care A Lot" presents the challenges and dangers our Elder population faces in a slick, fantastical, and sensational package. The only thing I would recommend more than watching this movie is consulting with your local Certified Elder Law Attorney to avoid the "Marlas" of the real world.