May 2026

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Prosecutors: Couple Forged Man's Will, Stole $2.6M
By Beth A. McDaniel, JD, CELA

This headline, in the Thursday, April 30, 2026, issue of the Seattle Times, caught my eye. With the help of public probate records, I was able to learn additional details regarding this news story. This article...

Cont. on pages 5-11

AI and Elder Care
By Beth A. McDaniel, JD, CELA

It is no secret that the United States is facing a caregiving crisis, which was further strained by the pandemic. Approximately 10,000 Americans turn 65 every day. By some estimates 25% of long-term care institutional workers are undocumented and greatly impacted by the recent immigration crack down. Further, private equity's purchase of nursing homes has caused labor cuts in pursuit of profits. There are several ways that Artificial Intelligence (AI) is currently being used in a positive way. Here are just a few of them:..

Cont. on pages 2-4

Probate Loans: When Heirs Just Cannot Wait
By Beth A. McDaniel, JD, CELA

As discussed in our April 2026 newsletter, effective June 11, 2026, there are significant changes to Washington's probate laws. Most changes affect estates in which the decedent died..

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CONT: AI and Elder Care

- Robots are used to provide respite for families by monitoring and keeping lonely seniors company through conversation, reminiscence therapy and cognitive games.
- Smart walkers equipped with sensors monitor gait stability, falls, and can alert caregivers when help is needed.
- Fall detection systems use AI-driven analysis of movements to predict and prevent falls before they happen.
- Wearable devices synchronize with home hubs to provide instant alerts to family or emergency responders.
- Skilled Nursing Facilities use AI systems to process patient history, lifestyle factors, and treatment responses to update care plans.
- AI-powered virtual assistants provide seniors with medication reminders, system check-ins and health education.
- In March 2026, a Texas nursing home chain rolled out a new AI-led admissions platform that can process 1,500 referrals from hospitals within 48 hours; meaning, staff no longer have to review and evaluate individual admission requests. Final determination based on AI's recommendations to admit, not admit, or seek more information is ultimately up to nursing home staff.

The jury is still out regarding some of the ways AI is being used in elder care:

- According to a 2026 State of Nursing Survey, 25% of the nurses surveyed use AI tools in their work. Of these, 60% say their employers did not provide enough training, 22% trust AI supports, and 40% say they have no meaningful input into how AI tools are selected.

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CONT: AI AND ELDER CARE

- A headline in the April 27, 2026, issue of the Seattle Times is 'Washington patients agonize as Medicare AI delays treatment.' According to the article, in January, Medicare launched a pilot program that requires doctors to get approval from a third-party contractor using AI before they can provide certain types of medical care, even though such care is covered by traditional Medicare insurance. This new program is delaying needed treatments affecting Medicare recipients' mobility and treatment of pain, for example.

As a result of the additional required approval, certain procedures now take up to four times longer leading to lawmakers demanding changes. "Wasteful and Inappropriate Service Reduction" ('WISer') is intended to save Medicare money by limiting unproven or unnecessary medical procedures, but Washington doctors and patients say it is issuing wrongful denials, creating barriers to care and prolonging pain for those needing certain types of treatment.

- Per an April 26, 2026, Seattle Times article, patients are using chatbots to fight medical bills with mixed results. Although chatbots can explain patients' rights and identify opportunities for review, critics contend they often fail to ask for crucial context or they obscure important solutions, leaving patients to fill in the blanks.

Indeed, there are positive and effective ways that AI can be used to assist caregivers and provide more expeditious care for seniors. AI does not replace human monitoring and in fact, can put older adults at risk for harm due to AI-generated voices and videos that sound and appear like family members who make urgent requests for money. Older and

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vulnerable adults should be cautious about messages that request personal information, calls from individuals claiming to be from financial institutions or government agencies, or technical support. Device settings should be reviewed to ensure better protection.

Health applications do not replace doctors. AI chat tools do not replace medical advice, and smart devices do not replace the need for companionship. AI-based technologies work most effectively when they are coupled with meaningful human support.

If you have questions about anything in this newsletter, or would like to update your estate plan, please contact our client care specialist, Margo Passeau at 425-296-3121 or margo@bethmcdaniel.com.

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CONT: Prosecutors: Couple forged man's will, stole $2.6M

provides a timeline of the improprieties which occurred during the administration of the estate of retired Boeing engineer Michael Flegle's (Flegle). Additionally, it suggests steps which could have been taken before or after Flegle's death to mitigate the financial devastation.

On April 19, 2024, Flegle died in a house fire that appears to have been intentionally set. He lived alone and did not have immediate family. In the weeks following his death, Flegle's home was burglarized, his car was stolen, and between April 27, 2024, and May 21, 2024, more than $25,000.00 was withdrawn from Flegle's BECU accounts via 18 forged checks written to seven different individuals.

Six days after Flegle's death, Ronald Wisner (Wisner) forged Flegle's signature on Flegle's car title and sold it. There is apparently no evidence that Flegle and Wisner knew each other despite Wisner's claims that they were dear friends. Probable cause documents state that Wisner monitored public death notices and researched Flegle's home two days after his death.

On May 8, 2024, Wisner filed a fraudulent Will with the King County Court. On May 22, 2024, Wisner petitioned the court to admit the fraudulent Will to probate and appoint himself as personal representative of Flegle's estate. The petition states that Flegle executed his Will on March 14, 2024, and that it was witnessed by two men, Keijo Oi and Michael L. Condon. The Petition further states that Flegle's estate was over $1.3 Million and that Wisner, Flegle's friend, was Flegle's sole heir. On May 29, 2024, the court appointed Wisner as personal representative of Flegle's estate. The order states that the acquirement for Wisner to obtain a

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fiduciary bond is waived, nonintervention powers are granted, and no notice of a hearing on Wisner's appointment is required.

Flegle's March 14, 2024 'Will' states his ashes are to be buried with his beloved golden retriever, Casey, and $10,000.00 each is bequeathed to the Issaquah Food Bank and to the Seattle Homeless Shelter. The 'Will' states the remainder of Flegle's estate is to be distributed 50% to a Trust that Wisner would create and use 'for the betterment of all mankind' and 50% to Wisner to' get his life in order.' The 'Will' further states Flegle's personal representative is to be paid $45 per hour. It names Wisner as the personal representative and BECU as the alternate personal representative. The 'Will' further states that if Wisner has to defend Flegle's wishes, he is to use $50,000 from the estate to hire a lawyer.

As personal representative, Wisner assumed control of Flegle's $175,000 Fidelity account and Flegle's $1.8 million Vanguard account. Wisner also sold Flegle's Issaquah home for $548,000, which was deposited into an estate account which Wisner opened at BECU.

On August 7, 2024, George Flegle (George), Flegel's cousin, petitioned the Court for an order invalidating the Will because it was improperly witnessed (there was no accompanying affidavit/declaration in which the witnesses attested Flegle was of sound mind, not acting under undue influence, and that he directed them to serve as his witnesses). Moreover, George's petition states that Wisner is not qualified to serve as a Personal Representative as he has eleven prior felonies, including identity theft, financial fraud, and possession of stolen property. In addition, the

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petition states there was a 2022 King County lawsuit filed against Wisner as Wisner had recorded a deed in the attempt to put a decedent's property in his name. That case was resolved by a summary judgment against Wisner.

George's petition further states that both witnesses to the execution of the Will also died in April 2024: Michael L. Condon was reported deceased on April 9, 2026, and Keijo Oi was reported deceased on April 26, 2024. As such, these men were unavailable to provide testimony to the court. It is apparent that Wisner obtained the witnesses' names from published death notices. Family members of these 'witnesses' have stated that it was not possible for either of these men to have witnessed the Will due to their incapacity or disability.

On August 8, 2024, BECU's Senior Financial Crimes Investigator Michael Mondala (Mondala) sent a letter to Wisner advising him that BECU had frozen six accounts: three in Flegle's name, one in the name of Flegle's estate, and two in Wisner's name.

On August 12, 2024, the Court entered an amended order which invalidated the March 2024 Will, removed Wisner as personal representative, appointed George Flegle to serve as administrator of the estate, and directed Wisner to pay George's attorney's fees. On August 22, 2024, the court entered a second amended order revoking Wisner's letters testamentary. On August 26, 2024, Wisner filed a 'Motion for Extension of Time to Respond' due to his having Covid.

In September 2024, Wisner and his wife bought an Edgewood property, which they had been renting, for the all-cash purchase price of

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$368,000.00. Shortly before Flegle's death, they faced eviction due to nonpayment of rent. A year after the purchase, the home was sold and the proceeds were routed to Flegle's wife's account.

On October 9, 2024, George petitioned the court for an order directing BECU to distribute to Flegle's estate all Flegle's funds and all funds improperly withdrawn from Flegle's accounts. The petition was supported by a declaration from Mondala dated October 17, 2024, which stated his investigation determined that BECU held the sum of $672,600.86 between the six accounts and these funds belonged to the Flegle estate. On October 17, 2024, a court order was entered directing BECU to provide the funds to George as administrator and to provide George with a copy of the estate's EIN obtained from the IRS by Wisner.

On September 15, 2025, Wisner filed a motion to compel mediation to 'resolve all contested issues in this matter.' On March 5, 2025, Wisner filed a declaration with the Court which states in part that he wants to uphold the March 2024 Will and preserve his memory. On October 14, 2025, Wisner filed a motion to 'vacate void order with prejudice and supporting exhibits.' On November 18, 2025, Wisner filed a 'declaration of equity standing' to 'establish standing in equity, distinct from remedies at law, and to preserve jurisdictional integrity . . under the United States Constitution . . and the Washington Constitution. Also on November 18, 2025, Wisner filed a 'Notice of Reservation of Rights.' Understandably, George did not file a response to any of these motions, nor did a hearing occur on any of these motions.

According to the Seattle Times's

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article, all the lost funds have been recovered by the estate except for the sum of $500,000.00. Wisner is charged with 22 crimes in King County including theft, perjury, money laundering, mortgage fraud, and forgery. His wife Melissa is charged with assisting in theft and money laundering. A warrant has been issued for their arrest, and an arraignment is scheduled for May 2026.

What could Flegle have done during his lifetime, if anything, to prevent or mitigate the financial damage which occurred following his death?

- Flegle could have executed a valid Will. Of course, the Will may have been stolen from his residence post-death along with his other financial papers; however, Flegle could have kept his Will in a bank safe deposit box having another trusted signor, or the original Will could have been filed in a sealed envelope with the King County Superior Court's will repository.
- Better yet, Flegle could have executed a Revocable Living Trust and transferred ownership of his residence to that Trust. His financial accounts could have been transferred to his Trust or named the Trust as beneficiary. By having a fully funded Trust, the administration of his estate would have been private and there would have been no need to appoint a personal representative of his estate.
- Because he lived alone, Flegle should have provided emergency contact information to a trusted neighbor.
- In addition, Flegle could have had a daily check-in with a designated person via call, text, or e-mail. In the alternative, Flegle could have arranged to check-in daily via an application like Snug Safety (free), iamfine (paid subscription),

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or dooinwell (paid subscription). With these applications, if Flegle missed a daily check-in, a contact designated by Flegle would have been notified.

What could a third party like a neighbor or friend have done to try to mitigate the damage to Flegle's estate? Effective June 11, 2026, if there is no Will or no one named in the Will is able or willing to serve as personal representative, a 'suitable person' has to wait 90 days from the date of death before they can petition the court for their appointment as administrator of a decedent's estate. This 90-day period, an increase from the current 60-day period, apparently allows more distant family members additional time to become aware of their relative's death and to petition the court for appointment.

So, what happens to an estate during those 90 days? As Flegle's estate shows, a lot of financial damage to an estate can occur during the 90 days. Thankfully, it is possible for an individual to petition the court within the 90-day period for the appointment of a special administrator, typically a professional nominated by the individual or selected by the Court, who can manage and secure the estate until a personal representative or administrator is appointed. An individual who requests the appointment of a special representative can subsequently file an administrative claim against the estate for payment of their legal fees and costs. Administrative claims have higher priority over creditor claims (claims for payment of debts incurred during the decedent's lifetime).

It never ceases to sicken me as to how some individuals will prey upon

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and take advantage of another's tragedy. It is imperative for everyone, but especially for those who do not have close relatives and live alone, to take steps now to best ensure that assets are protected and will transfer as intended. With the new probate laws effective June 11, 2026, it is imperative for all to list names of possible personal representatives in Wills (at least three) or consider whether the probate process should be avoided altogether by use of a revocable living trust or other vehicles which avoid probate.

CONT: Probate Loans: When Heirs Just Cannot Wait

without a Will or in which the decedent died with a Will, but no one named in the Will to serve as personal representative is willing or able to serve. The new probate laws also provide regulations regarding Probate Loan Companies and Heir Search Companies (AKA "Heir Hunters"). This article addresses probate loan companies.

For decades, companies have offered lump-sum payments in exchange for a substantial portion of a lawsuit's anticipated proceeds. Similarly, some companies purchase annuity income streams – providing a one-time payment in return for the right to future or annual payments. A newer development is the growing number of companies who offer 'probate loans,' in which funds are advanced to heirs or beneficiaries in exchange for repayment from the heir's or beneficiary's eventual share of the estate, typically at a significantly higher amount.

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A probate loan is not a loan in the traditional sense as there is no monthly repayment. If the heir or beneficiary ends up not receiving an inheritance from an estate, or the inheritance received falls short of the agreed repayment amount, the heir/beneficiary does not have to pay the difference. The longer it takes for the company to be repaid from the estate, the greater the repayment amount the company expects to receive from the estate.

In most states, probate loan companies operate with little to no regulation. Probate loans have been compared to other 'fringe financial loans' like tax refund anticipation loans, payday loans and pension loans.

Probate lending is widely attributed to Douglas B. Lloyd who founded Inheritance Funding Company (IFC) in 1992. IFC markets its services as a shortcut for heirs and beneficiaries, offering immediate cash in exchange for a portion of an expected inheritance. From its review of public probate filings, IFC can determine the size of an estate and the size of the beneficiaries' prospective shares. The addresses of an estate's heirs and beneficiaries are typically included as part of the public probate file enabling IFC to easily market their services to them. Notably, IFC avoids describing its products as 'loans,' but rather as "purchases of the heir's or beneficiary's property rights." By the early 2000s, IFC reportedly generated $5 million in annual revenues.

A 2004 exposé by David Lazarus of the San Francisco Chronicle brought attention to probate loan companies. In response, California passed legislation, effective January 1, 2006, the first state regulatory framework for such companies. The legislation imposed several consumer

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protections, including that the loan agreements must be in at least ten-point font and clearly include the amount assigned, the payment amount to the heir or beneficiary, and all fees and costs. It also required probate loan companies to file copies of the agreements with the court within 30 days of execution and granted to courts the ability to scrutinize the loans.

Despite the California legislation, IFC continues to grow and several new probate loan companies have emerged. One probate loan company, California Inheritance Group founded in 2005, reportedly has estimated annual revenues of $49.4 million.

Because California requires probate loan agreements to be filed with the court, it is possible to review real probates in which probate loans have occurred:

In Re the Estate of Eva Bell. On December 28, 2007, Eva Bell died. Shortly after probate proceedings commenced, Eva's son assigned $26,100.00 from his expected inheritance to the company 'Advanced Inheritance,' in exchange for the sum of $15,000.00. Due to this agreement, Advanced Inheritance was considered an 'interested person' in the probate and became the personal representative of Eva's estate, which allowed it to evict tenants from an apartment that Eva owned, sell the apartment building, and pay itself thousands of dollars in fees from the estate.

Meanwhile, another lender, Inheritance Funding, executed agreements with several of Eva's other relatives, purchasing $57,200 interest in the relatives' shares of the estate for the sum of $39,000. The final agreement was entered just three

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weeks before the probate ended. Under the terms of the final agreement, one of Eva's children sold a $7,600 in inheritance interest in exchange for the sum of $5,000 – the equivalent of a loan with an annualized interest rate of $1,000%.

In Re the Estate of Carolyn Chubbuck. In 2008, Carolyn Chubbuck executed a Will. Carolyn died in 2009 leaving behind three daughters, Kristina (age 28), Stefani (age 21), and Jamie (age 20). Kristina assigned a $23,100 of her expected inheritance to 'Heir Advance Company' (HAC) for an immediate payment of $15,000. Thirteen days later, Kristina assigned an additional $38,500 from her inheritance to HAC for an immediate payment of $25,000.00. Kristina went on to borrow eight more times from HAC, surrendering in all a $173,510 interest in her inheritance in exchange for advances which totaled $116,480.

Likewise, Stefani executed seven probate loan agreements, selling a $114,080 share of her interest in the estate in exchange for the advanced sum of $97,440. Jamie signed eleven probate loan agreements, surrendering $131,670 from her interest in the estate for an advance of $78,500. Kristina's final agreement for $7,500 of her share in exchange for an immediate $5,000 (an annual percentage rate of 913%), occurred just twenty days before the lenders were repaid.

'Probate loans' are lucrative for companies, because, as the companies would state, they are assumed at higher risk. A 2016 Yale Law Journal Article, 'Probate Lending' analyzed 597 probate cases in California. Of the 597 probates, probate loans occurred in 77 of them. In those, the companies provided advances of $805,500 to

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beneficiaries in exchange for $1,378,786 from the estates. The authors also found that the companies were often active litigants in these probates, filing petitions or objections in nearly one-third of the 77 probates.

In the 77 probates, the amounts advanced ranged from $2,000 to $74,000 and repayment amounts ranged from $0 to $162,944. Seventy-four percent of the probate loans were fully paid in accordance with the agreement terms. Of the other three, two companies received partial payments of the funds advanced. In the third non-reimbursed estate, the lender did not recover anything as the personal representative stole the estate assets and disappeared. The authors found that all exceeded California's usury threshold of 10% annual simple interest; specifically, 43 cases featured interest rates of more than 50% and 34 featured interest rates of 100%.

The article found that probate loans are considered 'usurious,' due to their high rates, but highly profitable in that in this sampling, the probate lenders recouped principal 96% of the time. The article further found that such companies routinely violate the 1968 federal "Truth in Lending Act" (TILA) which imposes strict liability upon creditors who violate disclosure mandates. Regardless, in 2011, a federal court dismissed a case regarding probate loans reasoning that the statute does not cover 'non-recourse advance[s].'

This, and a companion article, reached several conclusions:

- The probability of a loan was higher in intestate estates (estates where there is no Will)

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versus in estates where there is a Will. The authors speculate that testate beneficiaries may see such a loan as a betrayal of the bequest the decedent has made to them, whereas intestate heirs have not been honored the same way and may see their interests in the estate as fungible – not expressions of the decedent's affection, but merely another income stream at their disposal.

- In all 77 probates, the court rubber stamped the loans.
- Probate loans are strongly correlated to estate disputes – it can be said that 'loans lead to litigation.' It can also apparently be said that 'litigation leads to loans.'
- Beneficiaries may enter such loans out of frustration due to delays in the probate process.
- Beneficiaries in lower income brackets might use the loans to try to bridge their economic gap.
- Loans can be associated with estates that lack liquid assets. For example, where the beneficiaries will not receive an inheritance until a residence is sold.
- Loans are found in estates in which banks or credit card companies have filed creditors' claims against the estate as, apparently, there is a 'culture of debt' in which decedents who borrowed have beneficiaries who also borrow.
- Probate lending companies target people who are mourning and may be in a confused state of mind.

Recent Washington legislation addresses probate loan companies for the first time – decades after similar protections were enacted in California. In my practice, I have helped administer at least two estates involving these companies. In both instances, the arrangements raised concerns. It was perplexing as to why a

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probate beneficiary would agree to receive a significantly smaller amount of money immediately rather than waiting to receive the full benefit later.

Beyond the financial trade off, these arrangements complicate the probate process, and raise costs, due to the persistent communications from the loan company. The loans put added pressure on beneficiaries, as the longer probate takes – something beneficiaries cannot control -- the portion due to loan company grows. In one of the cases, the personal representative was required to forward the beneficiary's entire inheritance to the probate loan company, even thought it was larger than the actual agreed amount, as this was part of the agreement entered between the probate loan company and the beneficiary.

Here are the new legal requirements for a probate loan in Washington.

1) To be valid, the loan must be in writing, signed by the beneficiary and loan company for value, and personally and timely delivered to the beneficiary.

2) The agreement must be in at least 10-point font and in the same language principally used in any discussion or negotiation leading to the execution of the agreement.

3) The agreement must be filed with the court and served on the personal representative personally or by mail no later than 30 days after its execution of the initiation of probate, whichever occurs first, and not less than 14 days prior to a motion for distribution. Prior to filing or serving the agreement, the beneficiary's personal information must be redacted.

4) No less than 30 days following the date of the agreement, and no less than 14 days prior to a motion for distribution, the probate loan company must file with the Court a declaration attesting that all legal requirements

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surrounding the agreement have been satisfied

5) The following terms in the agreement must be in bold type:

1. The amount of consideration paid to the beneficiary;
2. A description of the beneficial interest, together with a good faith estimate of the value of the distribution anticipated by the probate loan company; and
3. The total costs or fees charged to the beneficiary include, but not limited to, transaction and processing fees, credit report costs, filing fees, bank or electronic transfer costs, or another fees or costs.

6) If the agreement contains any of the following provisions, it is voidable by the Court:

1. A provision holding the transferee for value;
2. A provision requiring binding arbitration;
3. An agreement granting to the loan company the power to represent the beneficiary's interest in the estate beyond the interest transferred;
4. A provision granting to the loan company for value the power to hire or select the personal representative to administer the estate;
5. A provision requiring payment by the beneficiary to the loan company for value for services relating to matters beyond the beneficial interest transferred; or
6. A provision permitting the loan company to seek recourse against the beneficiary if the distribution from the estate has a value less than the consideration paid by the transferee for value.

7) The court on its own motion, or on the motion of the personal representative or other interested person, may inquire into the circumstances surrounding the agreement to determine all legal

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requirements are satisfied.

8) The court may refuse to order distribution under the agreement, or order a just and proper distribution of the assets, if the court finds any of the following:

1. The fees, charges, or costs paid or agreed to be paid were grossly unreasonable at the time of transfer;
2. The agreement was obtained by fraud, duress, or undue influence, or contained unconscionable terms and that there is a rebuttable presumption that any agreement entered within 120 days of the decedent's death was obtained by undue influence;
3. In addition to the agreement, the probate loan company also purchased for value – directly or indirectly – a major asset of the estate for substantially less than fair market value; or
4. The loan company did not substantially comply with the law.

9) For a willful violation, the Court may order the loan company to pay to the beneficiary up to three times the value of the assignment, in addition to any other sanction or remedy.

10) Notice of any motion brought before the Court regarding the probate advance must be provided to the beneficiary and the probate loan company at least 14 days prior to any hearing regarding the agreement.

There are advisable steps to reduce the possibility that a beneficiary of an estate will take out such a loan:

1. It is important to execute a valid Will. As the cited articles found, executing a Will brings a desire to honor the decedent's intentions. When there is no Will, the heirs are more likely to treat the inheritance as a mere income stream.

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2. A Revocable Living Trust should be considered as part of an estate plan versus having only a Will, as Revocable Living Trusts, unlike Wills, are not filed with the Court, making the administration of the estate private and the beneficiaries less likely to be preyed upon by probate loan companies.
3. The personal representative should take steps to protect vulnerable estate beneficiaries, including the possible appointment of guardians ad litem to participate in the probate on behalf of the vulnerable beneficiaries and ensure that they are not taken advantage of and receive what they are entitled to receive from the estate.
4. It is common to include a provision in Wills which states a beneficiary will lose their right to inherit if they file a Will contest. We are considering broadening this provision to include a provision that a beneficiary will lose their right to inherit should they take out a probate loan prior to receipt of their share.
5. When creating their estate plan, individuals should consider whether, instead of directing shares to beneficiaries, beneficiaries' shares should continue to be held in trust with 'spendthrift provisions.' Spendthrift provisions prevent beneficiaries from using their inheritance as loan collateral.
6. If an estate beneficiary is desperate for funds, they should ask the personal representative or the personal representative's counsel if it is possible for them to receive a partial distribution of their share of the estate prior to final distributions. Although we typically do not recommend that personal representatives make significant distributions prior to

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the end of the four month Will contest period or the optional four month creditors' claim period, if there is sufficient liquidity in an estate, it may be possible for an estate beneficiary to receive a smaller partial distributions from their share of the estate, even early on in the probate.

7. Remember: it is unlikely for the court to intervene when such an agreement is entered -- regardless of apparent egregious terms -- unless the law was somehow violated.

Disclaimer: this newsletter is informational only and should not be construed as legal advice.