



MEMORANDUM

Date: March 10, 2016

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: C.H. Huckelberry
County Administrator

A handwritten signature in black ink, appearing to read "C.H. Huckelberry", is written over the printed name and title.

Re: **Placement of the Public Fiduciary within the Department of Public Defense Services for Administrative Purposes**

As part of the County's continuing efforts to increase efficiencies in our justice-related services, it is appropriate at this time to place the Office of the Public Fiduciary within the Department of Public Defense Services (PDS). PDS was created in May 2015 to provide centralized management of the five indigent legal defense offices in Pima County; the Public Defender, Legal Defender, Office of Children's Counsel, Mental Health Defender, and Office of Court Appointed Counsel. PDS has primary responsibility for planning and budget development, human resources, systems development (e.g., case management systems), forecasting, statistical analysis and related tasks for all five offices in consultation with their directors. Such centralized management has already improved the cost effectiveness of service delivery. In fact, preliminary estimates indicate that actual expenditures for the combined PDS operations will be less in Fiscal Year 2015/16 than the prior year, coming in at or near budget for the first time in many years.

The mission of the Public Fiduciary is aligned with that of PDS in that it also serves, by appointment of the Superior Court, to protect the rights of individuals; in this case, the rights of vulnerable adults who need a guardian or conservator. It also serves by Court appointment to administer the estates of deceased persons as an estate administrator when no other is available. As with the other services rendered by PDS offices, the Public Fiduciary is subject to regulation by the Arizona Supreme Court, which has statutory authority for oversight and licensure of fiduciaries to ensure performance of their responsibilities in a professional and competent manner and to protect the public. Thus, the functions and professional responsibilities of the Public Fiduciary are analogous to those of the other PDS offices. The administrative consolidation will provide the Public Fiduciary with improved access to existing financial, human resources, and systems expertise at the department level, and future cost savings may also be possible through reductions in administrative needs.

When we centralized management of our public defense services in 2015, we considered the experience in Maricopa County, where such services have been consolidated successfully since 2007. The Maricopa County Public Fiduciary is included within that county's Public Defense Services office, which reports that the Public Fiduciary fits well for the purposes of administrative oversight and services. While we deferred inclusion of the Public Fiduciary in

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Pima County PDS last year, it is appropriate to move the Public Fiduciary under the PDS umbrella now that the department level systems are in place. As with the other PDS constituent organizations, the Public Fiduciary will report to the PDS Director and will continue to have primary responsibility for the professional activities of the Public Fiduciary's Office.

At my request, PDS and the Public Fiduciary have been working with Finance Department staff to create the appropriate bureau and units necessary to make the budget for Public Fiduciary part of the PDS department budget as of July 1, 2016 for Fiscal Year 2016/17. The Public Fiduciary's budget will be presented to the Board of Supervisors at the April 26, 2016 budget hearing as part of the PDS Fiscal Year 2016/17 budget proposal. The consolidation will be completed on or before July 1, 2016.

CHH/lab

- c: Tom Burke, Deputy County Administrator for Administration
- Ellen Wheeler, Assistant County Administrator
- Lori Lefferts, Director, Public Defense Services
- Keith Dommer, Director, Finance and Risk Management
- Philip Grant, Pima County Public Fiduciary
- Robert W. Johnson, Budget Manager, Finance and Risk Management