SUPERIOR COURT OF ARIZONA, MOHAVE COUNTY

In the Matter of the Fees of the Mohave County Public Fiduciary	)	ADMINISTRATIVE ORDER 98-21

The Mohave County Public Fiduciary having filed a Motion to Modify the Fee Schedule of the Public Fiduciary Fee Schedule and finding good cause therefore,

IT IS ORDERED that the Mohave County Public Fiduciary's Fee Schedule attached to and made part of this order is hereby approved.

IT IS FURTHER ORDERED that the effective date for use of these fees shall be approved, *nunc pro tunc*, to April 20, 1998.

DATED this 4 day of June, 1998.

HONORABLE GARY E. POPE
MOHAVE COUNTY SUPERIOR COURT

Mohave County Public Fiduciary
Fee Schedule - Revised
Approved By the Board of Supervisors April 20, 1998

All guardianship, conservatorship, and decedent's estate fees charged by the Mohave County Public Fiduciary's Office are subject to the review and approval of the Superior Court following notice of the requested fees and the hearing date being given to relatives and other interested parties, as required by law. Anticipating approval by the Court, the Public Fiduciary may charge the fees and deduct them from the ward's account on a monthly basis, realizing that in some instances some or all of the fees charged may be denied by the Court. When fees are taken in advance of receiving Court approval of the fees, there should be demonstrated good cause to support such action, such as the need to minimize an estate's or ward's tax liability in a given year or to "spend down" a ward's account or estate to qualify for governmental benefits, or to simply charge the ward's estate appropriate monthly charges as they occur. In such instances, if the fee taken is not subsequently approved by the Court in whole or in part, the portion not approved will be reimbursed to the ward's account or estate.

Fees will be calculated according to the following schedule:

Guardianship and/or Conservatorship Matters

Referral, Investigation, and Set-Up Fees	$650.00
Public Fiduciary Staff Hourly Fees (social services, investigation, accounting, sale of property, etc)	$23.85
County Attorney Fees (hourly)	$68.31
County Attorney Support Staff Fees (hourly)	$23.34
Mileage	$.325 per mile
Travel expenses - including motel, transportation (other than mileage, which is addresses above), and meals directly related to ward or estate	At cost
Representative Payee Monthly Fees These fees, as set by the Social Security Administration (SSA) may be charged if the Public Fiduciary also serves as representative payee	As set by the SSA

Decedents' Estates (Personal Representative)

Referral, Investigation, and Set-Up Fees (with attorney involvement)	$550.00
Referral, Investigation, and Set-Up Fees (with no attorney involvement)	$115.00
Public Fiduciary Staff Hourly Fees (investigations, accounting, sale of property, in-house heir search, inventory, etc)	$23.85
County Attorney Fees (hourly)	$68.31
County Attorney Support Staff Fees (hourly)	$23.34
Heir search - outside agency	At cost
Mileage	$.325 per mile
Travel expenses - including motel, transportation (other than mileage, which is addresses above), and meals directly related to ward or estate	At cost

EXHIBIT A

Representative Payee

Referral, Investigation, and Set-Up Fees	none
Monthly Fee set (and subject to revision) by the Social Security Administration (SSA)	As set by the SSA

(The Public Fiduciary will charge the maximum fee authorized by the SSA, as that amount may be revised from time to time. As of December 1997 the amount authorized by the SSA was 10% of benefits but not to exceed $27.00 per month).

Outside Services and Out-of-Pocket Expenses

Outside contract or "out sourced" services (those services not performed by an employee of Mohave County) provided to the ward, protected person, or estate for such things as, but not necessarily limited to, legal representation, investigator fees, storage fees, auction or estate sales fees, appraisal fees, accounting services, tax preparation services, brokerage fees for real estate property, escrow and title insurance fees, investment management, inventory and case management will be billed to the ward, protected person, or estate at the cost charged by the outside contractor or other person providing the services.

In addition, the ward, protected person, or estate will be charged for out-of-pocket expenses, including, but not necessarily limited to, such items as the Clerk of the Court's fees, Recorder's Office fees, publication costs, document retrieval and certification costs, postage, and long distance telephone calls costs.

Storage

Vehicles:	Monthly storage fee	$20.00
Boxes or space:	Monthly storage fees	
	6 sq ft or less	$3.00
	Greater than 6 sq ft to 10 sq ft	$5.00
	Greater than 10 sq ft to 25 sq ft	$13.50
	Greater than 25 sq ft to 50 sq ft	$27.00
	Greater than 50 sq ft to 75 sq ft	$40.50
	Greater than 75 sq ft to 100 sq ft	$54.00
	Greater than 100 sq ft	$7.50/10 sq ft

Waiver

In the event a ward or estate of a ward does not have sufficient funds to pay for all of the fees that could be collected, the Director over the Public Fiduciary office has the authority to waive the non-collectable portion of the fees.

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EXHIBIT A

Mohave County Public Fiduciary

Justification of Fee Schedule - Revised

Approved By the Board of Supervisors April 20, 1998

Guardianship and/or Conservatorship Matters

Referral, Investigation, and Set-Up Fees $650.00

It takes over 25 hours of Public Fiduciary staff time to locate the birth certificate and other identification, heirs, locate and transfer bank accounts, set up the client files (personal and financial files), research health records, coordinate with state and local benefit providers, complete required forms for the providers, locate a suitable care provider, arrange for payment, and make the initial visit. Additionally, it takes about one hour and forty-five minutes of attorney and attorney-related support time preparing court papers and documents, and making the court appearance for the appointment.

Public Fiduciary staff time:	25 hours x $23.85 =	$596.25
Attorney time:	.75 hours x $68.31 =	$51.23
Attorney staff time:	1.0 hours x $23.34 =	$23.34
Total cost		$670.82

Decedents' Estates (Personal Representative)

Referral, Investigation, and Set-Up Fees (with attorney involvement) $550.00

It takes over 15 hours of Public Fiduciary staff time to order the death certificate, locate other required identification, heirs, locate and transfer bank accounts, set up the client file (personal), arrange for cremation or burial of the remains, determine the indigent status of the decedent and of his or her survivors. Additionally, it takes approximately 4.5 hours of attorney and attorney-related support time preparing court papers and documents, and making the court appearance for the appointment.

Public Fiduciary staff time:	15 hours x $23.85 =	$327.75
Attorney time:	3 hours x $68.31 =	$204.93
Attorney staff time:	1.5 hour x $23.34 =	$35.01
Total cost		$567.69

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Referral, Investigation, and Set-Up Fees (with no attorney involvement) $115.00

It takes over 5 hours of Public Fiduciary staff time to order the death certificate, locate other required identification, heirs, locate and transfer bank accounts, set up the client file (personal), arrange for cremation or burial of the remains, determine the indigent status of the decedent and of his or her survivors.

Public Fiduciary staff time: 5 hours x $23.85 = $119.25

Representative Payee

Referral, Investigation, and Set-Up Fees None*

It takes over 4 hours of Public Fiduciary staff time to prepare and mail change of addresses for the client, determine creditors and status of payments, complete forms, prepare files for the office, contact the Social Security Administration and complete their forms.

Public Fiduciary staff time: 4 hours x $23.85 = $95.40

*Note: Because the fees are set by the Social Security Administration, the Public Fiduciary currently is not allowed to charge more than 10% of the benefits received by the ward, not to exceed $27 per month.

Storage

The commercial rental rates for vehicle storage at an out-of-doors facility at a Lake Havasu and a Kingman facility were $25 per month (8/15/97).

The commercial rental rates for facilities in the Stockton Hill area range from $.75 to $1.00 per square foot. The charges for rental space are based on that cost.

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