



## Legislation Details (With Text)

**File #:** 13-1228      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 12/3/2013      **In control:** Board of Supervisors

**On agenda:** 12/3/2013      **Final action:** 12/3/2013

**Title:** County Counsel recommending the Board approve the authorization of discharge of responsibility in the amount of \$43,530.45 for non-collectable court ordered fees for Public Guardian cases.

### Sponsors:

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### Code sections:

**Attachments:** 1. A - Report 12/3/13

Date	Ver.	Action By	Action	Result
12/3/2013	1	Board of Supervisors	Approved	Pass

County Counsel recommending the Board approve the authorization of discharge of responsibility in the amount of \$43,530.45 for non-collectable court ordered fees for Public Guardian cases.

### Background

County Counsel performs legal services on behalf of the Public Guardian and their conservatees. County Counsel is reimbursed for the value of the legal services rendered for the conservatee by order of the court. In the instance that a conservatee is unable to pay, usually due to death or the lack of funds, the Public Guardian informs County Counsel of the inability to pay and requests that County Counsel write off the court ordered debt. This item is being brought before the Board of Supervisors pursuant to Government Code sections 25257-25259, which allows a County officer charged with the responsibility to collect money due to the County to apply to the Board of Supervisors for a discharge from accountability for the collection of the debt if . . . "the likelihood of collection does not warrant the expense involved". . . Names of debtors are being withheld due to confidentiality restrictions.

### Reason for Recommendation

There are two categories for discharge of accountability:

1. The conservatee is deceased, there are no funds remaining and we have no knowledge of any assets for the deceased client.
2. The client has been released from the care of the Public Guardian or is no longer a client of the Public Guardian, the client is on public assistance, and one or both of the following circumstances exist:
  - a. There is a known order in the client file that says only collect if sufficient funds are available, and we believe at this time there are no available funds to be collected.
  - b. There may be assets but there is no realistic expectation of collection.

### Action(s) to be taken following Board approval

The Board of Supervisors order the Department discharged from further accountability.

### Contact

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