**File #:** 18-1241, **Version:** 1

County Counsel recommending the Board authorize the discharge from accountability in the amount of $30,082.36 for uncollectible court ordered fees from Public Guardian cases.

**FUNDING:** General Fund.

**DEPARTMENT RECOMMENDATION:**

County Counsel recommending the Board authorize the discharge from accountability in the amount of $30,082.36 for uncollectible court ordered fees from Public Guardian cases.

**DISCUSSION / 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 conservatees 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 recommends that County Counsel write off the court ordered debt.

This item is 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 of accountability for the collection of the debt if ..."the likelihood of collection does not warrant the expense involved"...

Name of the 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 that 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.

**ALTERNATIVES**

The Board could decline to authorize the discharge in which case, the debt will remain due and payable to the County with little likelihood that it will be collected.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Public Guardian

## CAO RECOMMENDATION / COMMENTS
It is recommended that the Board approve this item.

## FINANCIAL IMPACT
Department revenues reduced by the amount of uncollectible debt.

## CLERK OF THE BOARD FOLLOW UP ACTIONS
None

## STRATEGIC PLAN COMPONENT
Good Governance

## CONTACT
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