



# PAGC

PUBLIC ADMINISTRATOR GUARDIAN CONSERVATOR

2021

ANNUAL REPORT



COUNTY OF SANTA CLARA SOCIAL SERVICES AGENCY  
DEPARTMENT OF AGING AND ADULT SERVICES



# **TABLE OF CONTENTS**

Message from the Chief Deputy PAGC	1
Program Descriptions	3
Transitions and COVID-19	13
Best Practices	15
Civil Grand Jury Report: Conservatorship Revisited 2019-2020	22
Court Complexities	23
Financial Management Services (FMS) and PAGC	24
Operational Highlights and Accomplishments	27
Future Goals	34

# **Message from the Chief Deputy Public Administrator Guardian Conservator**

With 65 full-time, caring, and devoted PAGC staff, we protect and serve the most vulnerable populations in the County. This year, we conserved people who are unable to make decisions for themselves or provide for their own food, clothing, shelter, and medication. We also investigate and administer the estates of County residents who died without a will or without an appropriate person willing or able to act as their administrator.

We have three divisions devoted to insuring the physical and financial safety of persons and estates. The office serves severely mentally ill people in our LPS Conservator division, cognitively impaired (brain injured and dementia) in our Probate division and administer decedent estates in the Public Administrator division. These populations may be at risk of harm and at risk of drastic loss of rights if the court does not appoint a conservator to prevent or address that harm.

Conservatorship removes fundamental rights such as the right to make medical, financial, and residential decisions, as well as to execute contracts or other legal documents, marry, vote, engage in personal relationships, and live independently. Therefore, state statutory provisions generally require that conservatorship be used as a last resort after less restrictive decision-making options have been considered, that the authority of the conservatorship be limited if possible, and that the conservatorship be monitored and ensure conservator and fiduciary accountability.

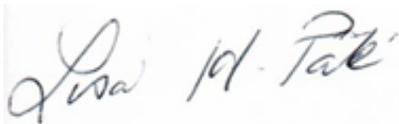
Conservatorships do have their place and can be necessary to take care of people who cannot take care of themselves. In the PAGC office, we protect and respect people's personal liberties and decision-making abilities. PG recognizes and supports alternatives to conservatorship such as supportive decision making (family and friends make decisions while getting support from those people they trust), Power of Attorney, Do Not Resuscitate, and Special Need Trusts, and explore all alternatives to conservatorship. Conservatorship is a last resort.

Several changes are occurring in the world of conservatorships. The population in the US is aging and older adults need more care, yet the cost of care is expensive and continues to increase. By 2040, the Alzheimer population in California will double. Another change in the older adult population is occurring with Adult Protective Services (APS), who investigate older adult and dependent adult abuse. Until December 2021, APS has defined an older adult as anyone over 65 years old, but this will also change in January 2022 to 60 years old, increasing APS referrals. This age change affects Public Guardians because many referrals for a conservatorship come from APS.

The Britney Spears case changed the view on conservatorships and made many people question if they are needed. The public outcry to end Ms. Spears' conservatorship has some asking what is a conservatorship and when is it necessary? Lawmakers in Washington also joined the conversation on conservatorships. While guardianship laws are controlled by states, not the federal government, Congress can still help with reform through hearings, data collection, and legislation that would provide more assistance to states. The Senate Committee on the Judiciary, Subcommittee on the Constitution, had a hearing entitled, "Toxic Conservatorships: The Need for Reform" on September 28, 2021, and we are watching for any change or reform in the future.

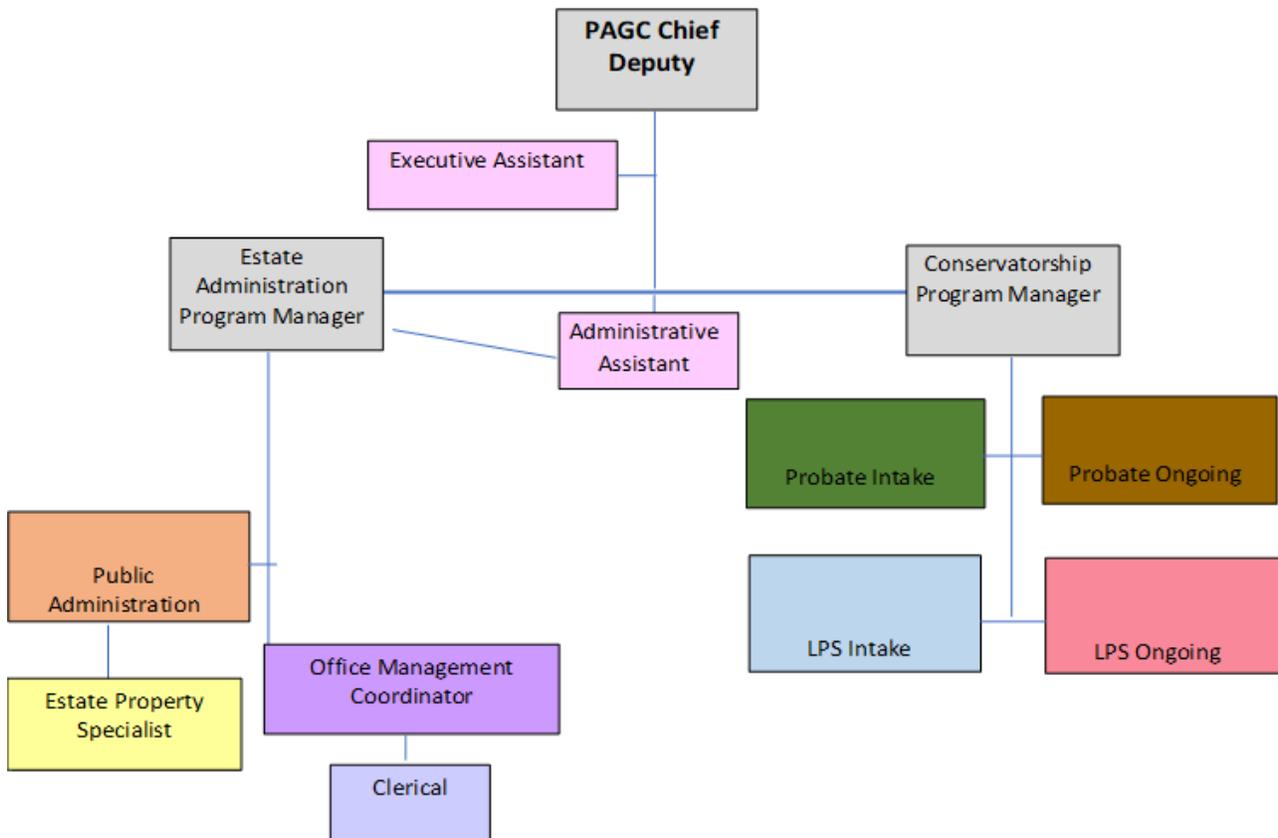
During the pandemic, many transitions happened in the office and staff adapted as had to adapt to the changes in how work was processed and in-person visits were conducted. There was a significant decrease in staff and unit transitions as well. Even with the changes and transitions, the PAGC staff maintained services to clients and their estates. They continued to protect conservatees and their estates and were creative with ways to visit clients and work with financial institutions.

We hope you enjoy reading our Annual Report. Its stories represent how we accomplish our vision of being compassionate and innovative in response to our clients' needs, to the community, our partners, and stakeholders. I am so proud of the PAGC staff and applaud all of them for their patience and hard work. They've supported each other and our clients during this unprecedented time.

A handwritten signature in cursive script that reads "Lisa H. Paté". The signature is written in dark ink on a light background.

Lisa H. Paté  
Deputy Public Administrator Guardian Conservator

# About Us

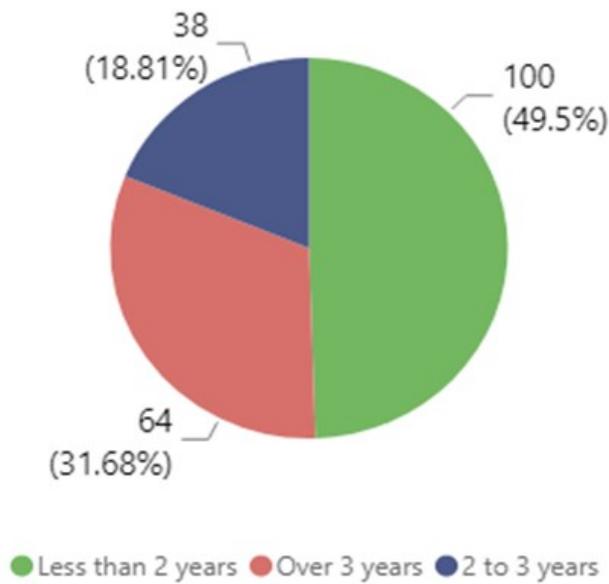


There are seven groups within the PAGC office: Public Administrator, Estate Administrator, Probate Intake, Probate Ongoing, LPS Intake, LPS Ongoing, and Clerical.

**Public Administrator (PA):** This group manages the estates of people who have died without a will or someone to administer their estate. For a large estate, the PA unit must petition the Probate Court to be appointed as executor/administrator or trustee of the estate. For smaller estates, known as summary cases, that are valued at less than \$166,500.00, the PA does not need authority from the Probate Court to administer these smaller estates. The PA unit searches for family/heirs, takes immediate control, manages client’s assets, makes burial arrangements, pays creditors, and oversees the distribution of the estate. There are six Estate Administrators, one Estate Administrator Assistant, three Estate Property Specialists and one Supervisor.

2021	Total Referrals	Not Filed/DO not take case	Investigate (30 days) but find Alternative Plan	Permanent/Court Authority	PA (Summary Case) (\$50K to \$166,250)
	296	249	111	27	6

PA ACTIVE CASES OPEN



**A Decedent Client’s Mobile Home to Remember**

Mr. D. passed away and had an old, cluttered, odorous mobile home. It was a hoarder home with layers of nicotine on the walls and the roof caving in. The Estate Property Specialists decided, at a minimum, to do a walk-through and see if anything stood out that may have value. They ended up finding an envelope with \$2,000 in it buried in the bed. They dug around a little more and kept finding envelopes all over the mobile home. After two days of searching, they recovered \$84,000 in cash. The cash was used for Mr. D’s burial and the rest was given to family.



**Estate Administrator:** This group acts as conservators for the estate. They are responsible for financial management of the estate, locating and taking control of assets, collecting income, making a budget, investing money, and protecting and managing assets. They are responsible for managing conservatees’ real property and investments. Estate Administrators also act as trustees for Special Needs trusts and other trusts created by the conservatee’s family for the benefit of the conservatee.

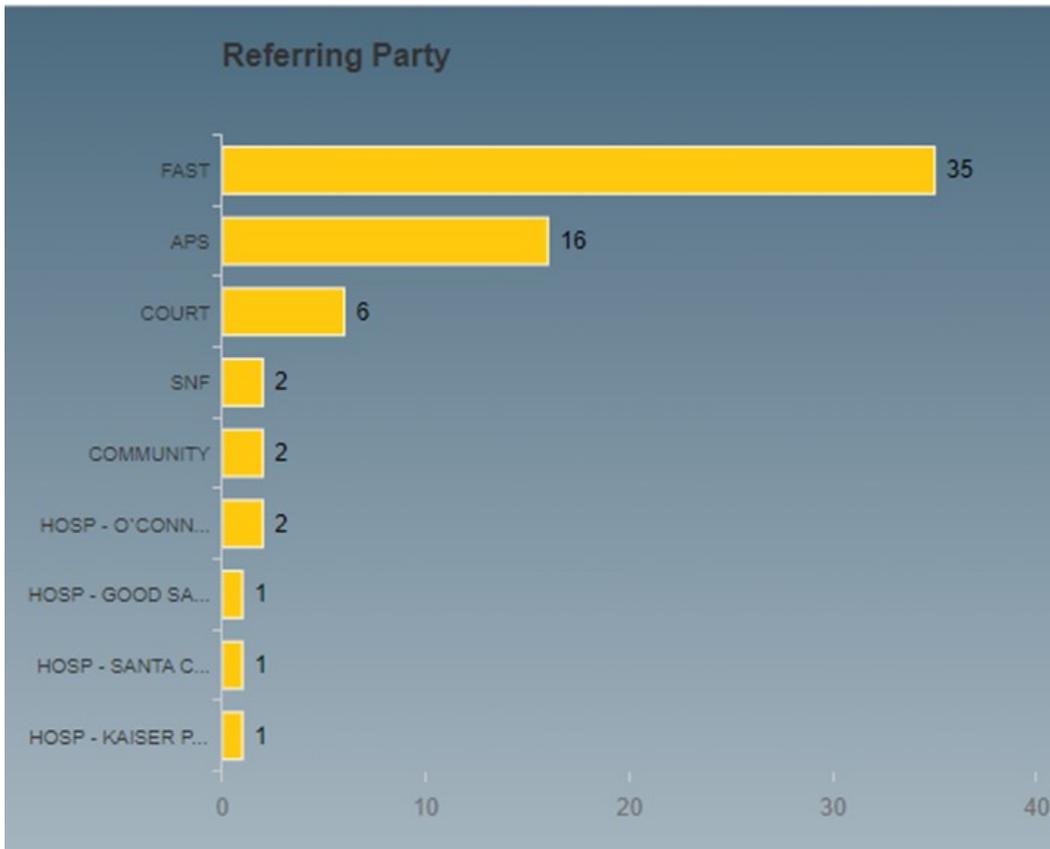
Kudos to the seven staff in this unit as they have gone through several transitions and supervisors in 2021. After their supervisor of 35+ years retired this group was left with no direct supervision. After several conversations with the Estate Administrators, the Supervising Estate Administrator from the Public Administrator unit willingly offered to supervise both units. The supervisor not only supervised eighteen staff but was tasked with learning how to work with new Probate codes, new staff from the other unit and rules, regulations, and policies, fiduciary oversight regarding the living (conserved) clients as well as his unit of deceased clients. The responsibility was too much for one supervisor and another transition for this group occurred after three months. The conservatee unit was dissolved, and the Estate Administrators and Estate Administrator Assistants were moved into the Probate Ongoing and Probate Intake units. This required management support and weekly meetings to discuss the challenges as the Probate Supervisors were not experts in estate administration. This new model seems to be working well although changes for improvement continue to occur.

The following chart shows the assets managed by the Estate Administrators this fiscal year.

Prior to 7/1/2021	Total \$ Amounts
Non-Brokerage Inventory (includes real property)	\$69,780,111.26
Brokerage Statements	\$13,518,975.15
SAP Dollar Total	\$83,298,976.38

**Probate Intake:** This group investigates probate referrals and determines if a conservatorship is appropriate and the least restrictive option for the person. Conservatorship referrals are for adults who are unable to care for themselves and/or cannot manage their own estates due to dementia, traumatic brain injury, neurocognitive disorder, or are subjects to undue influence. The referral may come from several sources and must include a capacity declaration signed by a physician. In the calendar year 2021, the unit had 68 cases referred and 49 were investigated. An alternative plan was found for 24 potential conservatees while 16 referrals were either not accepted or incomplete, From October 2020 through October 2021, there were 42 Financial Abuse Referrals (FAST). Cases numbers this year decreased but the complexity of the cases was significantly more difficult. In addition, the finances and estates in many cases increased.

Once the conservatorship has been established and the conservatee has a stable living environment, the case is transferred to the Probate Ongoing unit. The Probate Intake group has six Deputy Public Guardians, one Deputy Public Guardian Assistant, three Estate Administrators, one Estate Administrator Assistant and a Supervisor.

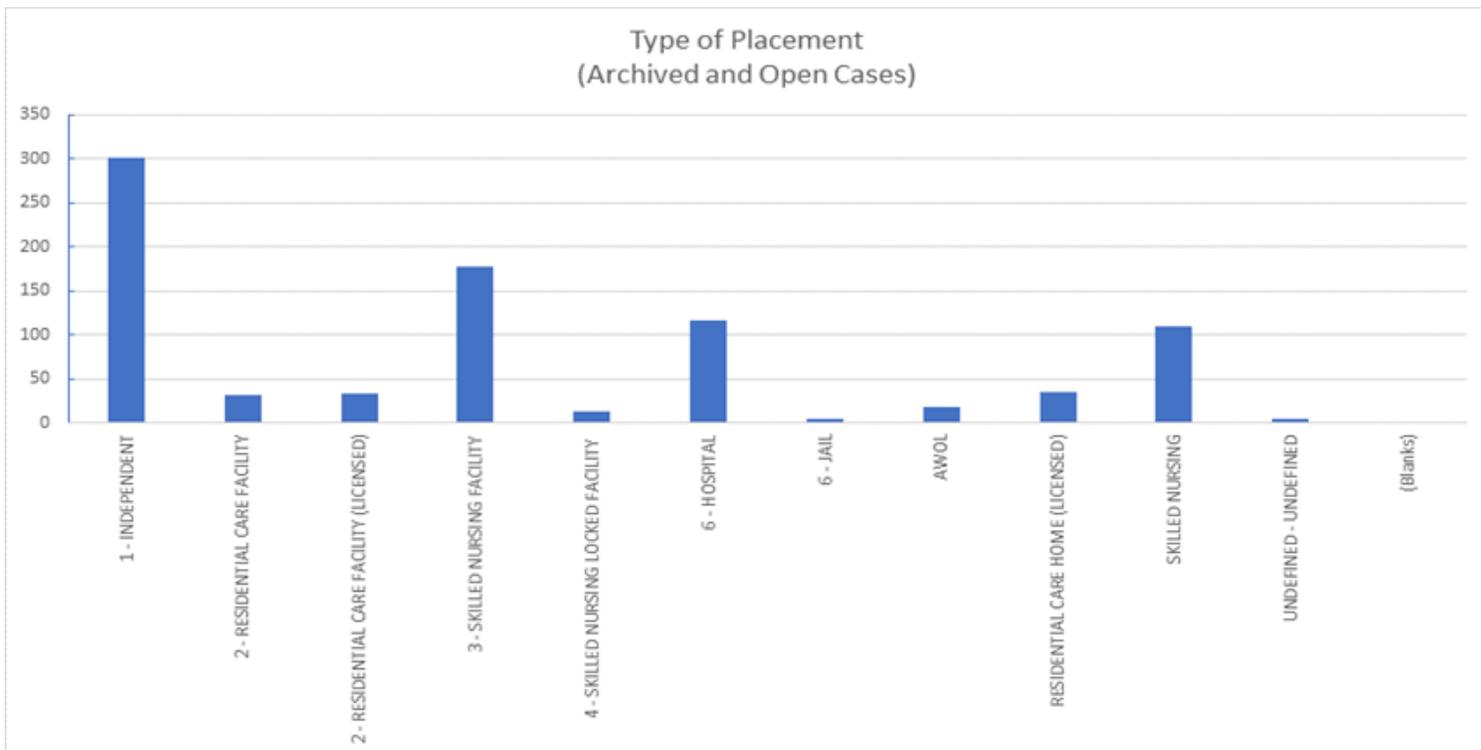


### Further Searching is Beneficial for a Conservatee

Mrs. D., a traumatic brain injury conservatee, had a relative petition and successfully be appointed, as her conservator. However, shortly after the court discovered several discrepancies/misrepresentations during the first accounting period and Public Guardian was appointed Temporary Conservator to further investigate. During the investigation it was discovered that the prior conservator has represented to the court that Mrs. D. was married and a resident of Santa Clara County. However, it was determined that Mrs. D's spouse had already filed for divorce and had remarried, shortly after the initial conservatorship appointment. It was also discovered that the now, ex-husband had added the new spouse to title of real property that was acquired before the conservatorship. To further complicate things, it was confirmed that Mrs. D. had been living primarily overseas for the past decade.

Public Guardian was eventually appointed successor conservator. After many hours of research, PG obtained a clear picture of timelines, assets, and analyzed all available financial records. Public Guardian determined that Mrs. D. should have been represented through the divorce action and was not. PG is currently working with County Counsel to ensure an equitable dissolution. Through the divorce action, Public Guardian uncovered additional assets, that were not disclosed to the court, and negotiated spousal support for the rest of Mrs. D.'s lifetime, valued at hundreds of thousands of dollars. Through many multi-interdisciplinary meetings, Public Guardian determined that the best way to ensure the best quality of life for Mrs. D. was to establish a special needs trust, allowing Mrs. D. to continue to benefit from the use of Public Services while having access to sufficient funds to ensure that Mrs. D. is afforded every comfort she could possibly need.

**Probate Ongoing:** This group oversees the care of a conservatee and monitors their health and safety as well as their living situation and medical needs. These cases are complex – often fraught with mental illness, cognitive impairment and lack of good judgement, medication, family conflict, undue influence, institutionalization, family issues and service fragmentation. The Deputy is responsible for all aspects of the conservatee's lives including health, financial, support and advocacy. The Deputy (conservator) is appointed by the Court to manage and protect the conservatee and their assets and is required to consider the conservatee's expressed desires and personal values in decision making and act in the conservatee's best interest. The Deputies are required to make monthly visits to conservatees who live independently and quarterly visits to those in a facility. Due to COVID-19, the Deputies got creative with virtual visits and "porch/window" visits. These staff are responsible for all conservatee placements; therefore, any move to or from a facility for higher or lower level of care needs or a hospitalization requires the Deputy's consent, informing the Court and family, and close supervision and case management. This group had nine permanent Deputies in 2020 and a supervisor but one Deputy code was deleted in budget reductions, one Deputy code was deleted to add a supervisor and one Deputy code was transferred to another unit. Now there are six Deputies. With the Estate Administrator unit transitions, the unit added three Estate Administrators and one Estate Administrator Assistant.



### **A Conserved Veteran**

A newly conserved military veteran, Mr. J, was living in his home alone and using the remaining equity in his home to pay for desperately needed 24-hour care. Mr. J has a dementia diagnosis and was reported to APS for an inability to care for his daily living needs and provide for himself financially. Mr. J's dementia clouded his financial judgment, and he took out a reverse mortgage on his home and spent most of the money quickly, leaving him with little left when APS became aware, and his care needs surfaced. After the Public Guardian became involved, the main goal was to keep Mr. J in his home with appropriate care for as long as the remaining equity would allow. When renovations and caregiving costs wiped away his reserves, there was no other option but to find alternative housing for the conservatee so that the home could be sold. With the assistance of the VA, the strong-willed and reluctant conservatee was re-housed in a VA-run home, where he enjoys the company of other veterans and receives the care, oversight, and nutrition needed to continue to thrive in the community. Mr. J has adjusted well, participates in house activities, and shows no indication that he is unhappy with the relocation.

**LPS Intake:** The LPS staff investigate referrals made by a Medical Director for adults who are in an acute psychiatric hospital or on an involuntary hold. The person’s symptoms are so severe that they are gravely disabled and lack the capacity to provide food, clothing, and shelter for themselves. The Deputy is responsible for managing the conservatee’s placement and mental health treatment. The PAGC has long been established to serve the most acutely mentally ill clients who (because of their serious mental illness) require a locked care facility. From January through December 2021, there were 323 LPS referrals and 265 LPS temporary conservatorships filed. About 75% of Intake investigations are diverted and an alternative plan is developed. Of the 265 conservatorships only 31 clients (13%) went onto a general conservatorship and 58 referrals continue to be investigated. This means 158 temporary conservatorships were terminated (no alternate plan or general conservatorship). LPS has no homeless clients that live independently. Homeless clients that live independently would not meet the definition of grave disability.

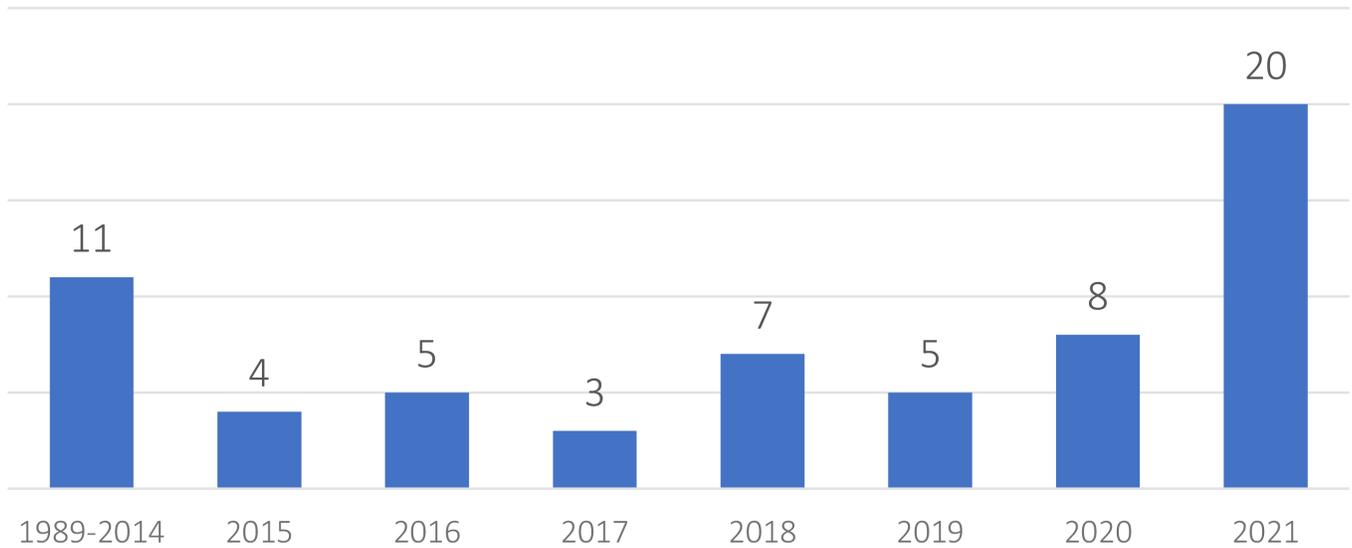
2021	Total Referrals	Temporary Conservatorships	General Conservatorships	Pending Investigations	Total Terminated Temporary conservatorships
	323	265	31	58	158

This unit had six Deputies and a supervisor, but the supervisor retired in March and the position was eliminated. A Deputy position was subsequently deleted in order to have the supervisor position reinstated. The unit now has five Deputies, one Deputy Public Guardian Assistant and a new Supervisor.

The LPS Intake also investigates Murphy Conservatorships which are established for an individual who has been found mentally incompetent and unable to stand trial within a specific period of time and for one who is considered dangerous. The number of referrals for Murphy Conservatorships increased dramatically this year. Between 1989 and 2014, there were only 11 referrals. From 2015-2018, there were 33 referrals. LPS Murphy’s from October 2018 to October 2020 were 23 referrals. In 2021, there were 20 Murphy referrals with no end in sight. In addition to Murphy conservatorships, LPS receives other referrals from the jail. On average, 8.5% of all LPS referrals come from the jail.

The Public Guardian Conservator LPS units continue to have a strong partnership with Behavioral Health and UCSF who assess Murphy Conservatees for the level of dangerousness. UCSF, Behavioral Health and PAGC worked together to have more forensic psychiatrists to perform assessments of Murphy clients. The waiting list for a Murphy client to be assessed by a forensic psychiatrist is approximately six months. A fellow from UCSF is assisting with some assessments; however, wait time are still long.

## Murphy Conservatorship Referrals



### A Happy Ending for an LPS Client

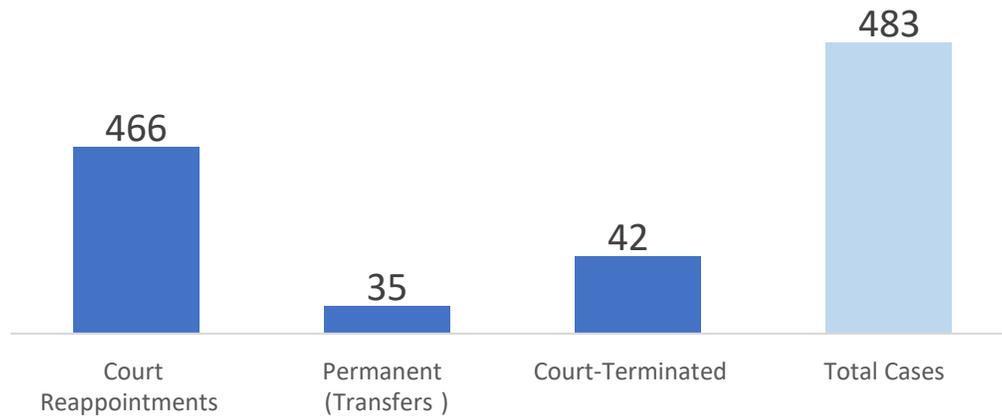
At the height of Covid, Mr. M was homeless. He had ongoing struggles with mental illness but was able to live with his father in San Jose. Their overall family plan was to move to Northern California to be closer to rest of their family, especially Mr. M's young daughter. Fast forwarding to 1/2021, Mr. M remained missing - his family had no idea if he was in San Jose or if he was living in the woods and mountains of the Sierras. With the families plan to move already in motion, his father had no choice (even though Mr. M was missing) but to close on the sale of the home in San Jose and move out of the area. In desperation, his family wrote letters to anyone they could within the SCC mental health and criminal system. They had heard that Mr. M likely was arrested several times, even placed on 5150s, but had no idea where he was. The family even started a social media campaign to try and locate him. In the Spring of 2021, Mr. M was located and admitted to Valley Medical Center. VMC



referred him for a LPS conservatorship and within one month, he was admitted to a long term custodial psychiatric hospital. The next few months for Mr. M were difficult. At first, he was upset with his family and upset with PAGC and wanted to go back to the streets. To add to the chaos, the hospital he was at had several Covid outbreaks. Although no one would be seriously harmed, the facility was under general quarantine for a time which meant not only did no one leave, but no one could visit either. It was understandable for him to "regress" and to stop participating in groups and stop taking his medications due to the frustration of the quarantine - that just as he started to feel "better" and make progress. He was unable to have outside pass privilege or in person visits with his family. Mr. M did persevere and in December 2021, he was released from the hospital and placed at a residential mental health program. He was linked with a full scope of outpatient services, a community case manager and mental health clinic psychiatrist. Mr. M now lives in the community and sees his family as often as he can. PAGC cannot take all the credit - there are many system partners and Mr. M had to work and improve on his own mental health.

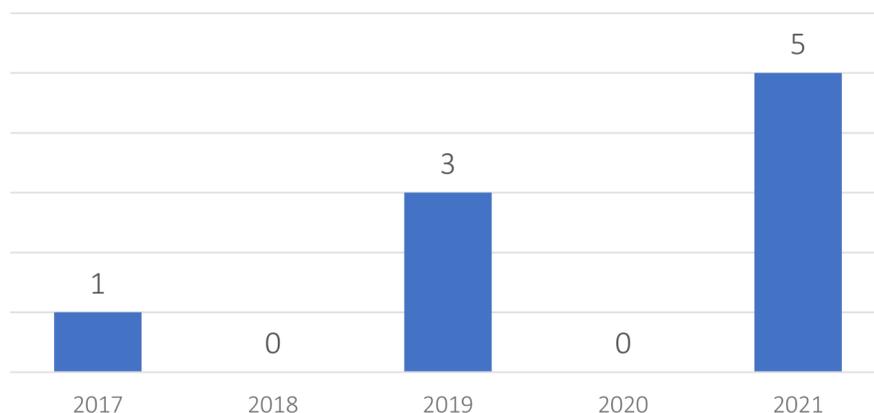
**LPS Ongoing:** The Deputies in this unit approve placements in a locked facility (if recommended by a psychiatrist) and have authority to agree to the use of psychotropic medication. The Deputies are also responsible for conservatees who are not in locked facilities by ensuring the provisions of food, clothing, and shelter. Cases are complex and often fraught with mental illness, medication, family conflict, institutionalization, and service fragmentation. Due to the nature of the clients, the staff manages multiple crises and are experts at the art of de-escalation. The Deputies in the LPS ongoing unit have continuous contact with psychiatrists, therapists, facility staff, conservatees and their family members. They are required to make quarterly visits to clients in a facility but often meet and have case conferences more often. This unit's caseloads increased this year by approximately 10% per staff member due to staffing decreases. An average conservatee's case stays with our office for eight to ten years, although some clients do go on and off conservatorship. This unit had a Deputy code deleted due to Voluntary Separation Incentive Plan (VSIP) and has several issues with long staff medical leaves and Disaster Service Worker (DSW) assignments. In addition, the supervisor of eleven years took advantage of VSIP. They currently have nine Deputies and a new supervisor was hired this past summer.

### LPS Ongoing Case Management



COVID shut down court jury trials for 2020 and jury selection began again in June 2021. Given that PG had one or two trials a year prior to 2021, five trials in the past 6 months is a large increase for PG. The PG is receiving many more requests for jury trials and two jury trials are currently on hold. If all of the jury trial requests come to fruition, there is a possibility of ten jury trials prior to the end of March 2022. County Counsel is scheduled to meet with the Court/Judge and Public Defender to discuss the rise in court trials.

### Jury Trials



**Clerical:** The Clerical unit has many responsibilities which includes processing mail, answering, and triaging phone calls, filing documents, and processing LPS and Probate referrals. The Clerical staff apply for SSI, SSA and VA benefits on behalf of the conservatees as well as redirect conservatee’s pension to their PAGC accounts. Clerical staff process all client inventory and requests for selling, distributing, or discarding inventory items. They process DMV checks’; unclaimed property checks and real property reports. The Clerical staff create case files and complete death notifications. They are responsible for processing LPS reappointments and mailing facilities new Court orders and new Deputy assignments. These staff members also request birth, death, and marriage certificates when needed. The Clerical team has not been fully staffed since December of 2020. They went from a staff of ten to a staff of seven due to VSIP and deletion of a code. The team is made up of six Office Specialist IIIs, one Office Specialist II, and a Supervisor (OMC).

Tasks	# Processed
Benefits (applications/reapply) for SSI, SSA, VA) Representative Payee	174/month
LPS scanning (includes referrals, Appendix As and reappointments)	255 year to date
Property Tasks (includes action request, key releases, storage billing, storage deferrals, title searches, unclaimed property searches, DMV requests, Inventory and Appraisal input, final achieving cases, and inventory changes)	373 tasks/month
Apply for client pension	3/month
File Room Processing (includes check files in/out; create files, split cases, actual filing)	1, 708 tasks (expected to increase as staff are back in the office)
All Mail – (includes bills and checks received)	4011pieces/month
Phone Coverage for PAGC main line	722 calls/month
Obtain birth and death certificates	17 year to date
Scan explanation of benefit statements	665 year to date
Process death notices	41 year to date
Scan explanation of benefits (EOB) from insurance companies into client cases	150/month

# Office Transitions and COVID-19

In 2021, COVID 19 continued to bring challenges for the County, staff and our clients. Our office faced a myriad of changes on how to work during the pandemic and coped with some resistance, frustration, and fear. Since most PAGC staff work in the community with conservatees or client's assets, their work was immediately affected. We had impediments including unvaccinated staff and clients, facilities not allowing visits due to COVID-19 out breaks, limited community visits, long Court delays, VSIP retirements, staff code deletions, a hybrid work environment, mandatory mask wearing and more. The PAGC staff had no choice but instantly adapt. Almost every unit had clients with and/or effected by COVID-19. The staff cautiously proceeded with investigations and administration of all estates cautiously as staff and client safety is paramount. Listed below are many of the changes, transitions, improvements, and proficiencies which PAGC quickly and efficiently established while still providing our vulnerable populations with much needed services.

Mail Processing: Although processing clients mail may seem like a small task, the COVID-19 pandemic impacted how clerical, deputies and estate administrators obtained and processed mail in a timely manner. Throughout 2020 and 2021, the clerical staff processed all the mail for PAGC staff and clients, which is a huge and time-consuming endeavor. However, due to a clerical staff reduction of thirty percent, a new process needed to be developed as it was no longer feasible for clerical to continue processing mail using their normal process. In April 2021, while staff still worked from home, they were responsible for picking up their assigned mail in the Julian Street campus lobby and scanning it into the Panoramic computer system weekly. Since our return to the office in August 2021, PAGC staff now receive their mail and process it as needed.

Clients Affected by COVID: In 2020, 14 LPS clients were diagnosed with COVID-19 and recovered. In the Probate units, 20 clients were diagnosed with COVID-19 and 7 passed away. PA staff learned of four decedent referrals that passed away from COVID-19. Some staff had a difficult time processing the illness and losing longtime conservatees and having to inform family members of their loved one's death. COVID-19 deaths and facility lockdowns continued into 2021. Staff was encouraged to use the County's Employee Assistance Program, take mindful moments, find a stress reliever that worked for them, and take time for themselves. EAP staff attended several All-Staff Meetings to help staff process the grief and remind others of their services.

A Reduced Staff: While there were 75 full time permanent staff members at the beginning of 2020, due to VSIP, budget reductions, and add/delete of codes, the PAGC staff was reduced to 64 fulltime permanent staff and 6 extra help staff. With the loss of a legal secretary, and Estate Property Specialist and three supervisors due to VSIP as well as deletions of case carrying codes (Deputies) and an Office Specialist, the office has undergone many transitions and had to adapt. With the dismantling of one of our Estate Administration units and transitioning those staff members into two Probate units, the office has utilized extra-help clerical and CalWORKS work experience clients to get work done. The loss of case carrying positions (DPGC) has affected staff morale but does not impact our continual service to clients. Many of the staff have expressed feeling overwhelmed with the increase in their workload, feeling stressed to keep on top of assignments and tasks and keep up with Court requirements to avoid Court sanctions or fees. Staff have performed overtime to keep

up, but several staff have pulled back on overtime to avoid burn out. The PAGC office is requesting the restoration of codes to help to ensure PAGC staff continues to protect older adults from isolation, discrimination, abuse, neglect, and financial exploitation. The restoration of these codes will enable the PAGC to provide quality services and resources to the community and our partners at Behavioral Health, Custody Health and Health and Hospital Systems. Restoring DPGC positions will also eliminate additional costs to the program, which include Court surcharges for failure to fulfill PAGC fiduciary responsibilities, additional staff overtime, and the continued use of six extra-help staff. Having these codes restored will also assist with risk avoidance in the community, in our hospitals as well as in the Courts. The Probate Court is often unforgiving regarding delays; avoiding Court penalties and surcharges may not be possible with fewer DPGCs to process the work.

Communication: The leadership team continued to develop protocols and guidelines to support staff and help convey office changes. Some of the strategies were:

- *Weekly Updates:* The Chief Deputy PAGC sends a weekly update to all PAGC staff members. Still continued this day, this form of communication keeps staff informed of PAGC business practices, community updates, trainings, revised/updated procedures and improvements to forms and processes in the office as well as County updates such as free testing sites, booster shots, and more. The updates are saved on the PAGC shared drive.
- *Office Hybrid Model:* Social Services developed a plan to enable staff to return to the workplace in August 2021. Most of the PAGC staff work a hybrid work week in which they telework three days a week and are in the office two days a week. This hybrid model was met with some resistance as some staff felt they were successful in teleworking five days a week. However, the hybrid work schedule seems to be working well and staff appreciate the time they telework. The two days in the office allow staff to complete paperwork, see their colleagues, and attend meetings in person. Teleworking at PAGC during the pandemic was successful. Management and staff work together to balance work flexibility, efficiency through technology, and accountability of actions.
- *PAGC COVID-19 Guide for Worker Safety for Face-to-Face Visits, Contacts and work in the Community/Field* was developed in June 2020 and shared with staff in unit meetings and at an All Staff Meeting and the guide is still used today. This document provides guidance and instructions on the use of Personal Protective Equipment (PPE), who may have in-person contact with clients, members of their household, or enter clients' residences and estates. These guidelines follow the Santa Clara County Public Health Department protocols and are based on the best information available as of June 10, 2020.
- *All Staff Meetings-* Monthly Virtual All Staff Meetings offer staff a place to reconnect, obtain updated business practices, be informed about personnel/staffing and cases/office improvements, provide feedback, update COVID information, review office protocols, and more. Several of the PAGC all staff meetings also included a training element and staff members receive Continuing Education Units (CEUs). Meetings are now using a hybrid model with some staff in an office conference room participating while others teleconferenced.
- *Enhanced Communication:* During the beginning of 2021 the PAGC leadership team continued meeting every other week. The meetings proved to be essential, informative and a place to problem solve and develop office protocols. Unit meetings are very important and keep staff engaged and informed. Every unit is required to have a minimum of one-unit meeting per month, though some units meet more frequently.

# Best Practices

Referrals Remain Consistent in all Programs: The number of referrals in all our programs, LPS, Probate, and PA have continued to be consistent with previous years. LPS saw an increase in Murphy referrals (20 this year compared to 23 total for the last three years) and continues to receive referrals for individuals in acute facilities. LPS staff has been limited in their ability to visit individuals in the locked facilities due to a COVID19 outbreaks and had some difficulties with face-to-face virtual contact. LPS receives approximately 25 referrals per month, which is consistent with referrals prior to the pandemic. In the Probate division, referrals from hospitals have decreased; however, referrals from Adult Protective Services have increased, especially financial abuse cases. In the PA unit, referrals continue to be submitted and case numbers remain relatively steady.

Program	# Referrals received in 2021
LPS Conservatorship	323
Probate Conservatorship	68
Public Administration (PA)	296

Community Calls: In addition to processing referrals and investigating new cases, intake Supervisors and leads received approximately 400 community calls or emails regarding inquiries from a hospital, Skilled Nursing Facilities or other facilities with questions regarding a conservatorship referral. The PA Supervisor receives calls from the coroner's office inquiring about possible referrals. PAGC supervisors field calls from community member asking questions about PAGC functions and duties or from a community member asking for assistance with a family member or friend. PAGC supervisors also receive calls requesting information regarding PAGC clients and decedent cases, both past and present.

Client Contact and Estate Monitoring: PAGC staff were creative in how they continued to keep contact with their clients during the pandemic. At the beginning of 2021, many facilities were closed to outside visitors including Deputy Public Guardians; therefore, visits, investigations and check ins with conservatees were conducted on a porch, via Skype, via Face time, with facility staff assistance or through a window. Creativity and flexibility have been essential to continue to provide food, clothing, shelter, and safety to our clients. As time goes on, staff are seeing clients in-person more frequently. Facilities are allowing PAGC staff to visit, provided they show their vaccination cards, make an appointment and wear a mask prior to entering the facility.

Estate Administrators have continued to monitor real property, securities, loans, insurance, and trusts. PAGC encountered some difficulty when working with financial institutions and advisors due to companies' closing or reduced work hours, but this has improved over time. At the beginning of the year, staff had to make appointments with a banker or financial advisor and had to be prepared to provide all documentation at the meeting. Investigating financial abuse was difficult because staff tried to stay out of homes for safety reasons, so gathering paperwork from homes was problematic. However, the DPGCs and EAs have done a fabulous job collecting the necessary documentation to preserve or save a client from financial abuse. The EAs who administer estates in decedent matters continued to be busy and adopted some safety precautions to continue to do their job. For example, EAs do not enter a decedent residence until two weeks after the date of death. In the meantime, the EA contacts family, friends, and neighbors to ensure the decedent was not COVID-19 positive. They collect all documents and utilize precautions to review paperwork.

Regardless of the obstacles and challenges of meeting conservatees or professionals in the community, the PAGC staff have found "work arounds" and done a wonderful job.

### ***Internal Meetings and Collaborations***

*Estate Planning Meetings:* Estate Planning Meetings are held weekly to discuss estate issues and obtain group consensus, management approval, and/or legal and tax advice on cases. Deputy Public Guardian Conservators, Estate Administrators, Supervisors, Managers, and County Counsel schedule a case for review to discuss details and make decisions regarding clients' estates. Estate Planning Meetings often include deliberation about a conservatee's placement and cost of a facility, sale of personal property, case transfer to Public Administration (PA) and opening a full probate case, financial issues (e.g. a non-sustainable budget, no budget in place, lack of or limited resources for independent conservatees) or other fiscal issues such as the sale of conservatee's residence or liquidation of major assets to pay for care; preparing an estate plan (to prepare a will or trust or for tax planning); pending litigation/settlement authority or the need to file a legal action request, occupancy issues (caregiving, rental situations, evicting tenants); major repair or remodeling projects, or obtaining a loan, reverse mortgages, purchase of residence, or cars, or cashing in an annuity.

*Trust Reviews:* PAGC continues the best practice of reviewing all clients' trust accounts at least once a year. PAGC is currently responsible for 91 trusts. Bi-weekly meetings are held to review four or five trusts in detail. Similar to the weekly Estate Planning Meetings, this team approach (with DPGC, EA, management and County Counsel) is essential in reviewing the cases, clients' current needs, anticipating the clients' future needs and developing financial plans to ensure that the clients' assets are managed with the greatest care. The group reviews the enforcement of the trust, creation of a trust, the duties of the trustee and revocation issues. PAGC must ensure that funds are used appropriately and for the benefit of the conservatee. To assist with reviewing Trusts, a former Estate Administrator with Trust expertise was hired as extra help and has been a tremendous asset because of her expertise in this area.

*Case Conference Meetings:* Case Conference meetings are held as needed to discuss issues, challenges, or make decisions related to a particular case. Issues may include legal matters, tax issues health and medication, end of life decision making, placement, distribution to heirs, or inventory of personal property. Depending on the circumstances, County Counsel, Adult Protective Services, Financial Management Services, or outside caregivers or agencies may be asked to participate, if applicable.

*The Toolbox Workgroup* resumed bi-weekly meetings in 2021. The group originated in March 2016 and developed an online Toolbox for PAGC staff that went live in July 2017. The Toolbox allows staff to find forms, trainings, resources, best practices, all staff meeting power points, and procedures easily and quickly. The voluntary workgroup includes workers and supervisors from each unit. This workgroup changed the focus of their work during COVID-19 to creating fillable forms and revising/updating all forms used by office staff. They also made forms into DocuSign templates.

*Inventory Verification for 2020 & 2021:* It is office policy to have adequate internal controls to ensure that PAGC is effectively managing and protecting our conservatees and decedents properties/assets. Inventory items in PAGC include personal properties (e.g., vehicles, furniture, household items, jewelry, collectables); financial securities (e.g. stocks, bonds, annuities); and real properties. Due to COVID-19, inventory verification was delayed in 2020 but has since been completed. Due to the limited staff in the office, the 2021 verification was done using a random sample of property and was completed at the end of this year. We saw multiple requests to change inventory due to staff reviewing and updating the reports. The verification process will begin again in the early 2022.

### **DAAS Partnerships**

*FAST (Financial Abuse Specialist Team):* After initial vetting by Adult Protective Services (APS), 31 cases were investigated by the FAST team from January 2021-November 2021. From October 2020 to November 2021 (since cases carry over from one year to the next), 45 FAST referrals were received and investigated.

It is important to note that several cases referred in 2020 were carried over to 2021 as an average case takes 6 months to investigate before a plan is solidified. Each referral receives a thorough investigation, which typically includes multiple interviews, visits to financial institutions, researching legal documents, financial statements and other documents associated with the alleged abuse. FAST Team members (Deputy Public Guardians Conservators, Estate Administrators, and APS Social Worker) follow a twofold approach for each case: (1) determine if there has been fraud, theft, or other criminal activity; and (2) determine if the victim needs a conservatorship. Both County Counsel and a Deputy District Attorney are present in these monthly meetings to discuss the cases. Once fraud, theft, embezzlement, etc. has been detected, the Team develops a plan to protect the victim's remaining assets and discusses an approach to recover stolen property.

The Public Guardian has extraordinary (statutory) powers to freeze, collect or otherwise protect assets at risk. This could involve exercising the authority to freeze bank accounts, preventing transfers of investments, or interceding and preventing a fraudulent real estate transaction from being completed.

There are several possible outcomes from a referral for FAST Investigation:

- The allegations of financial abuse are determined to be unfounded. In some instances, there has been a misinterpretation of the facts, or more commonly, cross-allegations are made by siblings/beneficiaries, against each other.
- The allegations are determined to have merit and assets are at risk. The victim may have dementia, or other cognitive deficiencies, but there are less intrusive interventions available to protect the individual and their property than a conservatorship (appointment of a fiduciary, power of attorney, appointment of a trustee or successor trustee).
- The allegations are determined to have merit and assets are at risk. The individual will be evaluated for conservatorship. A thorough screening and assessment will take place before the court hearing is held. During this time, the Public Guardian will exercise its extraordinary powers to protect assets, and will enlist any necessary services to ensure that the prospective conservatee is safe and has proper care in place; or
- The Public Guardian may be appointed temporary conservator, or a family member or other party may be appointed by the Probate Court to be the conservator for a variety of reasons. In very rare instances, a conservatee may have stabilized and put their estate in order, so that a conservatorship is no longer needed.

FAST Assets Recovered and/or Loss Prevention

The investigative process, as well as the appointment of a conservator and the managing of a conservatee’s estate, may take months. In financial abuse cases, the Public Guardian may file an action to recover conservatee’s property, or there may be a criminal prosecution and restitution ordered. In many such cases, the assets are gone, and the Public Guardian develops a plan to pay for the care and other needs a conservatee will have for the rest of their life. This entails creative and flexible case management and long-range planning.

From October 2020 through November 2021, PAGC prevented the loss, recovered or protected client’s assets, in the amount of **\$17,578,323** which includes real property, liquid assets, stocks, bonds, and restitution, recovery and/or settlements. Since the FAST program began in 1999, PAGC has prevented the loss of and recovered assets totaling over \$643 million dollars.

	FY 2019	FY 2020	FY 2021	Since 1999
Real Property	\$ 29,848,764	\$ 32,088,142	\$ 53,146,321	\$ 385,268,476
Liquid Assets	\$ 1,718,063	\$ 1,856,184	\$ 17,557,453	\$ 106,167,222
Stocks and Bonds	\$ 13,525,747	\$ 2,540,317	\$ 525,349	\$ 57,814,132
Settled/Recovered/Protected		\$ 28,351,817	\$ 17,578,323	\$ 94,323,138
Total	\$ 45,092,574	\$ 64,836,460	\$ 88,807,446	\$ 643,721,577

## You Never Know What You Will Find in a Conservatee's Home



Ms. K was referred to APS for allegations of neglect and financial abuse. The caregiver was allegedly managing the finances and Ms. K did not know where the remaining money was going after the rent and bills were paid. Due to Ms. K's dementia, she was unable to provide any details regarding her finances. The initial allegation stated her monthly income was going into a joint account with the caregiver. There were also some other allegations. When the PG Deputy first met the client, she found a refrigerator full of rotted food and shelves that were packed with expired medications and expired canned food. Since there was no room in the refrigerator, milk and eggs

were in a cabinet. Ms. K was malnourished and underweight and had challenges with hygiene. She lived in subsidized housing, had no job, no money in the bank, and was barely making it in San Jose. After we obtained conservatorship and Ms. K. left her apartment for a higher level of care, our office did an initial search of her apartment. The Deputy mentioned to Ms. K's daughter that we were going to search the home and collect and protect valuable items. The daughter said her mom had \$10,000 in cash hidden somewhere in the apartment. More often than not, people give "tips" about random treasures in houses, and they're never there. Toward the end of the search, still no money found, the staff were standing in the kitchen, and one staff noticed a stuffed sock up on the soffit above the kitchen cabinets. He climbed up there and found the \$10,000 the daughter had mentioned. A week or so later, PAGC staff were moving the client from her apartment, and they did a deep search of everything while packing her belongings. The staff started finding rolls of cash! Some in jackets that were hung in the closet, empty suitcase pockets, tin cans, etc. PAGC staff ended up finding over \$50,000.

## Collaboration with Health and Hospital Partners

- *Behavioral Health (BAP) Collaboration:* LPS leadership team meets with the Chief Operating Office of Barbara Aarons Pavilion monthly. Specific clients, placements, or changes within Behavioral Health are discussed as well as legislation and conflict resolution, especially regarding open beds for BAP conservatees.

The Barbara Aarons Pavilion at Health and Hospital has remained full since the pandemic. The focus for Behavioral Health has moved from BAP beds and placements to opening up Institute for Mental Disease (IMD) beds for placements. PAGC worked for months with Behavioral Health to identify clients that are meeting their treatment plan to move to a lower level of care.

- *Valley Medical Professionals and Probate Intake:* Staff from both facilities/programs began meeting monthly over the summer to discuss difficult clients at the hospital who may need a conservatorship. In addition, the team has been discussing the possibility of a Deputy Public Guardian staff participating in a hospital ethics committee and carrying some Health and Hospital patient cases.

*APS/PG Collaborate on Referrals:* Several APS and PG supervisors and managers updated and revised the current APS/PG Memorandum of Understanding (MOU). The revisions specifically describe the steps for an APS FAST and APS non-FAST referral. The MOU outlines the steps of PAGC reviewing the referral, steps during the investigation and the Deputies evaluation of conservatorship, an alternate plan or no action. Timelines and details of the referral and investigation processes are comprehensive in the document.

*PAGC and FMS:* PAGC and FMS began specialized meetings this year. The monthly FMS/PAGC meetings have been very productive and enable problem solving and improvements to processes. For example, staffing changes and updates, processing accounts payable and receivable checks, sharing tax information, Controller's audit feedback, and more. In addition, PAGC, the Court Accounting unit, and County Counsel meet monthly to discuss specific cases.

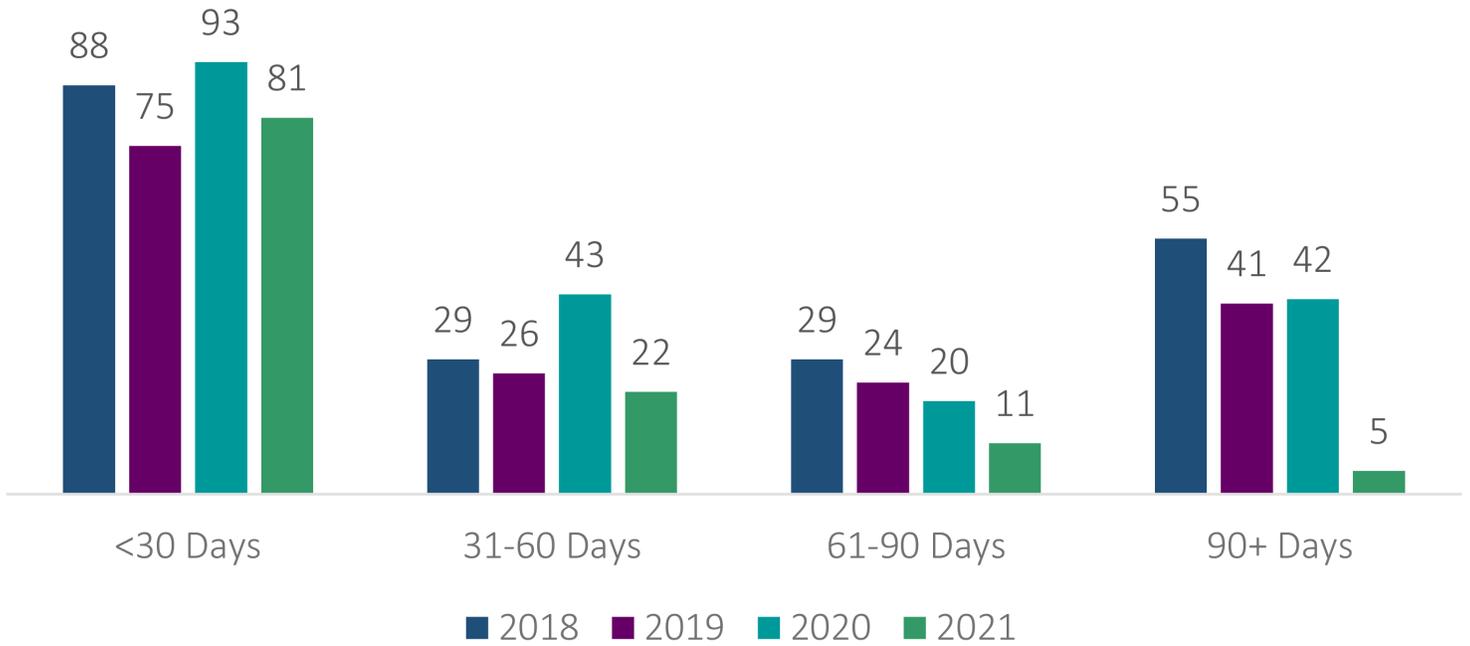
*PAGC and County Counsel:* The collaboration continues to be strong and helpful. PAGC management meets with County Counsel and the DAAS Director monthly to discuss new law, legislation, clarify process, and keep each other informed. In addition, staff reach out to County Counsel as needed and meet weekly with them in an Estate Planning meeting. County Counsel is also available and works closely with PAGC staff on difficult cases with legal issues or multiple decision-making challenges.

*PC §5270 Workgroup:* The Public Guardian and Behavioral Health Services Department are recommending that the County implement § 5270 holds. California Welfare & Institutions Code § 5270 gives a county Board of Supervisors the option to implement, by resolution, an additional 30-day hold (for patients on a § 5150 hold) and allow for continued treatment of patients who are gravely disabled due to a mental disorder.

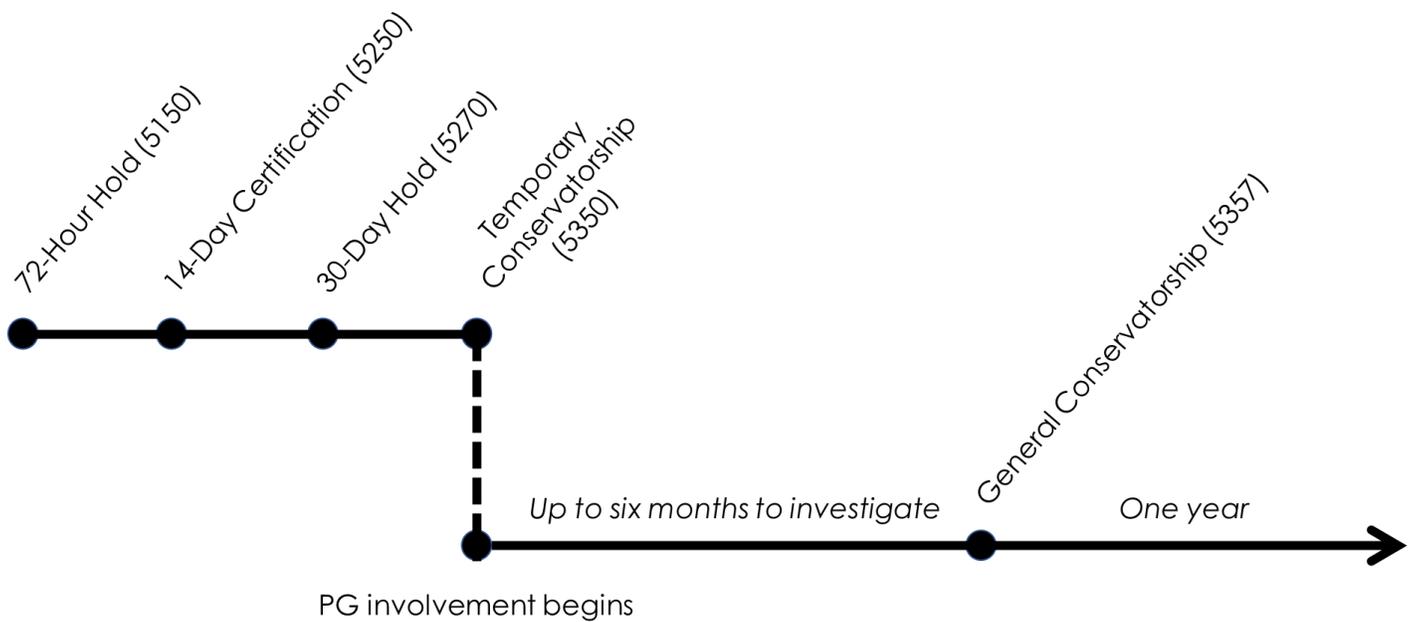
The following are the reasons for the recommendation:

- Reduces stigma for mentally ill individuals.
- Provides a more narrowly tailored solution for patients.
- Predict a 30% reduction in T-con conservatorship petitions filed.
- Faster to initiate than a conservatorship.
- Does not require a Public Guardian investigation.
- Does not require a court order to initiate (such as a T-Con does).
- Potential cost avoidance annually: \$330k to \$440k.

## Days on Temporary Conservatorship



Of the 180 temporary conservatorships each year, 49% are for 30 days or less.



# Civil Grand Jury

When the Civil Grand Jury began reviewing the PAGC, they recognized the difficulty of the work done by the staff. The Deputies, Estate Administrators and support staff have a difficult job, and they must earn the trust of the prospective conservatees who are often confused and frightened due to mental illness, traumatic brain injury or dementia. Sometimes predatory family members have taken advantage of an elderly person suffering from dementia and may be hostile to the PAGC staff. Many conservatees are destitute, they lack the capacity to take care of themselves and have serious medical problems. It is the PAGC staff's job to establish a healthy level of care, stabilize their financial situation and provide for their physical and financial well-being.

The Civil Grand Jury acknowledged the work PAGC does as admirable and difficult. In the Grand Jury, Conservatorship Revisited, thirteen recommendations were made to help PAGC work more effectively and improve morale. They acknowledged that staff and management are doing excellent work. PAGC responded to the Civil Grand Jury in November 2020 and again answered some additional questions and provided supplementary documents in September 2021. The Civil Grand Jury recommended some policy and procedure updates which PAGC implemented. In addition, the Grand Jury suggested modifying several forms, including probate referral, and automating the transfer income and expense date from our Panoramic computer system to the County's SAP software. The two computer systems are able to talk to each other and TSS has created logic documentation and made updates to the systems to allow for the transfer of data. The Civil Grand Jury is pleased with the responses and the adjustments that PAGC has made to improve services for staff and clients.

# **Court Complexities and 2021 Legislation**

*Court Update:* Court was greatly affected by COVID-19 and even with people getting vaccinated and wearing masks, the Court continues to have challenges with calendaring matters. PAGC staff submit petitions to County Counsel electronically and County Counsel obtains hearing dates. Hearings are often set six months out or are continued. A new Probate or PA case may not be heard by the Court for six to eight months. A Probate Court Investigator (CI) is assigned to research information about people who are trying to take responsibility for someone else's life (i.e., conservatorships). The CI shares their findings with the Courts and are taking approximately nine months to complete their assessment. On average obtaining Court authority to sell a conservatee's property has taken at least four months to be heard. In 2020 LPS, jury trials were not held because of COVID-19, but there was a large increase in jury trials in 2021 and Murphy referrals increased significantly.

*Legislation:* Over the past three years, the California PA|PG|PC Association has been advocating in the Capitol for new state General Funds to support the hard work the members perform when serving the most vulnerable populations in our communities and with legislative processes. The Association monitors and advocates on legislation that could potentially impact the general business practices of the California PA|PG|PC community as well as provide critical funding to support mandates placed on Public Administrators, Guardians or Conservators in each county. The Association has supported, disagreed and/or are watching several legislative bills.

# Financial Management Services and PAGC

*Financial Management Assistance:* The FMS group assists the PACG staff with paying clients' debts and liabilities monthly costs and fees. They assist with tax preparation, tax bills as well as other tax issues. FMS assists PAGC staff with final distributions to heir and beneficiaries, provide petty cash for clients, collect fees and prepare Court Accountings for the Court. They complete Veteran Accountings and deposit wire transfers for securities, real property sales, and home sale deposits.

*Court Accountings:* The Probate Code requires that the PAGC file an accounting for each estate. For the Public Guardian/Public Conservator, the first accounting is due no later than one year after appointment, every two years thereafter, and when the conservatorship ends. PAGC staff coordinates the filing of the accounting with County Counsel and FMS. The petition includes a detailed accounting of all transactions in the conservatee's estate that occurred in the period covered by the report. Accountings include:

- The value of assets on hand at the start of the reporting period,
- The amount of any supplemental appraisals during the reporting period,
- All income received by the conservatee during the reporting period,
- Gains and losses from sale of assets or investing of assets during the reporting period,
- All expenditures of conservatorship funds during the reporting period, and
- The value of assets on hand at the end of the reporting period.

*Fee Collections:* The Probate Code authorizes the PAGC to collect fees when the client has the resources to pay. Fees are collected through the accounting. These include ordinary PA fees, bond fees, County Counsel fees, investigation fees, Trust fees, monthly PG fees, storage fees and extraordinary fees. At the time of the accounting, requests for PAGC fees are based on the number of hours worked, the hourly rate and the work that had been completed. The Court must approve a fee request prior to any payments being collected. Upon receiving approval from the Court, PAGC determines if the conservatee can pay. If a fee payment will cause a hardship to the conservatee, PAGC will defer the fee. In Public Administration (decedent cases), the Probate Code provides statutory framework for fee collection, based on the value of the estate. Extraordinary fees may be sought by the PAGC. Fees owed to the PAGC, and County Counsel have priority over distributions to heirs, beneficiaries, and some other creditors.

### Detailed Fees Collected in 2021



### Tax Preparation and Bond Fees Collected in 2021

MONTH	BOND FEES	TAX PREPARATION FEES
JANUARY	\$16,410.28	\$2,935.00
FEBRUARY	\$12,821.32	\$2,285.00
MARCH	\$2,907.50	\$2,962.50
APRIL	\$7,250.81	\$2,418.65
MAY	\$21,504.94	\$1,200.11
JUNE	\$56,627.57	\$4,642.50
JULY	\$16,134.00	\$22,064.00
AUGUST	\$43,614.89	\$25,520.00
SEPTEMBER	\$38,690.17	\$17,985.00
OCTOBER	\$11,460.70	\$15,474.60
NOVEMBER	\$25,226.89	\$16,899.00
DECEMBER		
<b>TOTAL:</b>	<b>\$252,649.07</b>	<b>\$114,386.36</b>

### Storage Fees Collected in 2021

2019 Storage Fees Collected	2020 Storage Fees Collected	2021 Storage Fees Collected
\$42,540.00	\$53,956.01	\$57,854.41

### All Fees Collected

2020 Total Fees Collected	2021 Total Fees Collected
\$2,022,558.96	\$1,761,181.38

*Deferred and Uncollected Fees:* PAGC fees are not recorded as revenue in the County’s accounting system until they are collected, and the bi-annual Court Accountings are completed. Therefore, this year’s write-off of \$70, 907.00 did not reduce the fund balance to the County’s General fund. Uncollected fees can be due to various reasons including a client is deceased, there are no estate/assets available, or a case was dismissed or terminated.

*Urgent Needs Fund:* The Urgent Needs Fund (UNF) is intended to assist client’s in the event of an emergency or urgent situation when no other funding source is immediately available for a conservatee or decedent estate. Emergency or urgent situations are unexpected events that have a significant impact and/or pose a threat to the person’s health, safety, or welfare. The UNF addresses imminent needs that require payment within a week and is not intended to be ongoing financial support. No large withdrawals are made without a plan for reimbursement. PAGC Urgent Needs Fund (UNF) did not request a replenishment from the County General Fund for Fiscal Year 2021, which has not always been the case in past years. All UNF advancements are either actively being repaid or are likely to be repaid in the future; therefore, no UNF advancements are currently considered uncollectible.

# Operational Highlights and Accomplishments

*Policies and Procedures:* The 180 office Policies and Procedures are a set of documents that describe different tasks and responsibilities, ranging from how to manage a conservatee's individual retirement account to how to arrange for a conservatee's funeral and burial services to how to conduct a conservatorship investigation. The policies are updated often and found in the PAGC Toolbox on the Intranet. This year, PAGC continued to revise and develop procedures as tools and guides for staff. PAGC staff are informed when a procedure is updated or new in a weekly update, in unit meetings and at the monthly All Staff Meeting.

*Matter Submitted on Pleading (MSOP) Process:* This new process allows a PA case to waive a Court Accounting and Hearing and expedite an heir's distribution. This process was first introduced to PA by the Court so the "COVID backlog" could be reduced. The process allows PA to submit an ex-parte petition rather than have a hearing for distribution making the process much easier and faster. If the accounting is waived with approval for the Court and all heirs, FMS reviews the Accounting before County Counsel submits the final distribution plan to Court. PA has submitted two cases using the MSOP process but plans to submit more next year.

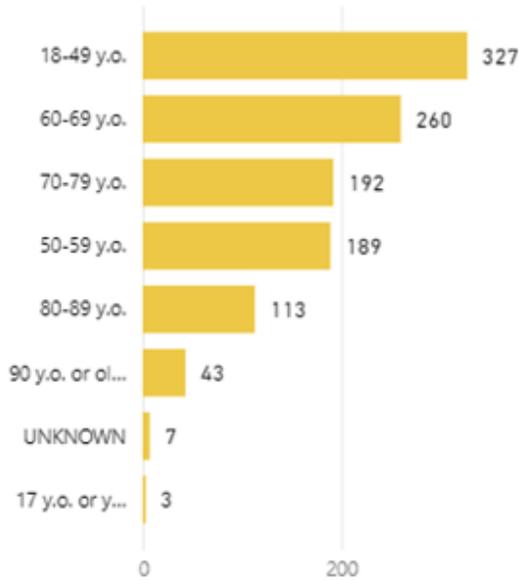
*Dashboards:* PAGC worked with TSS to develop dashboards to provide strategic and analytical information about client status, historical PAGC trends, and performance measures using the department case management system, Panoramic. The dashboard allows PAGC to identify fields and criteria for detailed reports, gather requirements to design and develop improved service to clients and validate required service delivery such as client contacts, demographics, values of estates, cases referred, filed and accepted, days a case is open and quick referral data.

*Key Performance Indicators (KPI):* PAGC has several KPIs and continues to improve and make efficiencies beyond the current KPIs. The data (quantitated and qualitative) from the monthly KPI reports are used to make enhancements to services and for quality assurance. PAGC KPI's include:

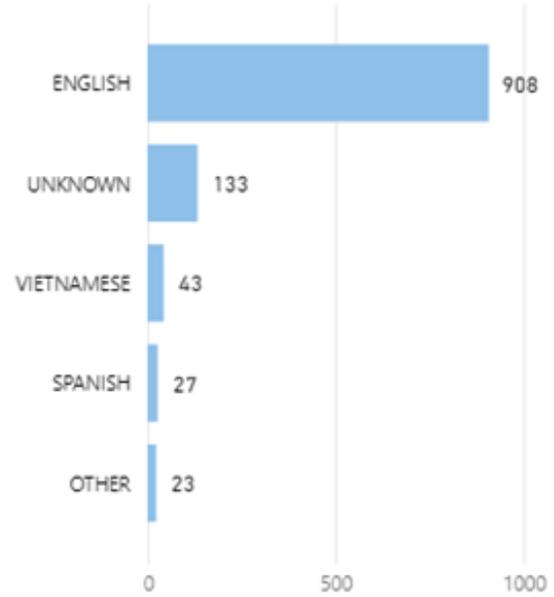
- Deputy Public Guardian Conservator (DPGC) visit reports track Deputies monthly and quarterly visits to their conservatees.
- Deputies must have the first client contact within seven days for LPS and Probate client's case investigations.
- Estate Administrator (EA) property report is a new KPI. The PG/EAs must visit real properties on their caseload monthly/quarterly reviewing maintenance, safety, home repair, insurance and other property issues.
- Public Administrator (PA) monitors cases older than 3 years and develops a plan to close cases timely.
- Court Inventory & Appraisals must be completed and submitted to Court on time (90 days for a Probate case & 120 days for PA case).

## Demographics for All PAGC Clients

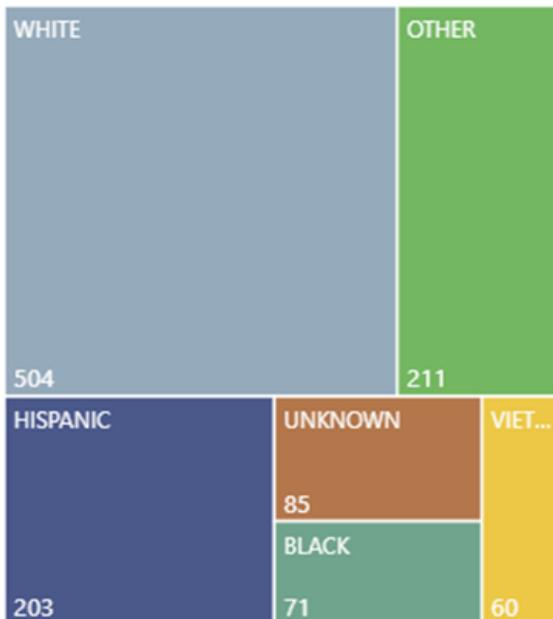
### AGE GROUP



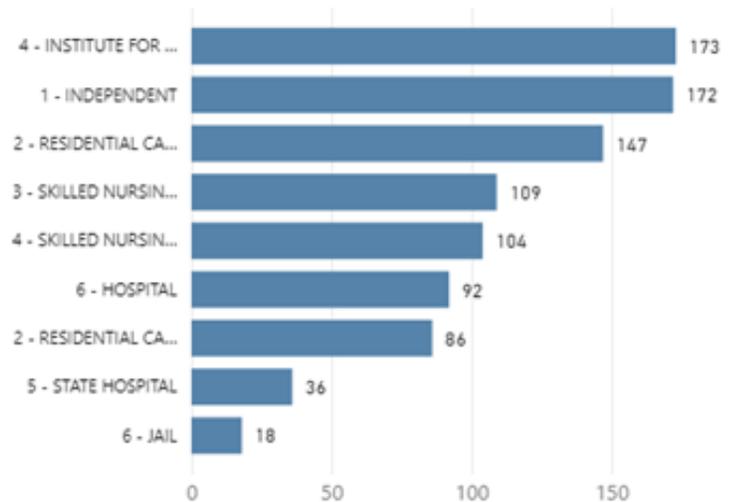
### LANGUAGE



### ETHNICITY



### LIVING ARRANGEMENT



*Estate Administrator Training Academy:* In the fall of 2021, the management team realized the two units of Estate Administrators (EA), although different (one unit works with conservatees and one unit works with decedents) have very similar tasks and responsibilities yet have not been cross trained or shared their expertise and challenges. Because of the similarities and opportunities to share tips and tricks, the supervisors and leads worked for months to develop an EA Training Academy. The objective of the training series is to train EA topics facilitated by our own staff, retired staff our other professionals. All EA staff will be cross trained and share their knowledge with colleagues.

*District 3 Supervisor Otto Lee presents a Commendation to a PAGC Community Partner:* On November 16, 2021 Supervisor Lee presented one of PAGC's hardest working partners, Eduardo Rocha with a commendation. Mr. Rocha is the owner of Silver Spurs, a small hauling and handy man business. Mr. Rocha worked countless hours at jobs that few companies are willing to do including clearing and hauling tons of soiled, dirty, malodorous, damaged unusable contaminated furniture, household wares, spoiled food, animal waste, and garbage. He does all this while preserving client's vital documents, preserving family keepsakes, collectibles, and family photos.



*PAGC and APS MOU:* PAGC and APS began revising the PAGC/APS MOU at the beginning of 2020. The MOU specifically states that PAGC has committed to investigate the case and provide an initial case status update (via email) to the APS social worker within thirty calendar days. The update informs the APS social worker whether the Deputy will continue the investigation or not. FAST referrals are reviewed within three business days and non-FAST referrals are reviewed within seven business days by the Probate Referral Committee. APS continues to be sent a formal disposition if the case is closed and does not move forward with a conservatorship. The MOU was finalized in 2021. As a result, communication and case collaboration has improved even with the pandemic while staff teleworked and did not physically interact to discuss a case.

*Controller-Treasurer's Internal Audit Division (IAD) Audit is Nearly Completed:* In early 2018, the Controller's Office, IAD began a consulting project to evaluate business processes within the Public Administrator/Public Guardian office. The primary purpose of the audit was to obtain information about the functions and responsibilities of PAGC and evaluate the adequacy and effectiveness of existing internal controls against identified potential risks. COVID-19 halted the audit for some time, but in 2021 PAGC, FMS and the auditor began working together again to finish the audit. We continue to await the findings and recommendations as well as the many accomplishments. Several of the suggested desired controls in a 2020 Memorandum have been reviewed and enacted. We are anticipating the results to be positive finding with plausible recommendations to reduce risk.

*Veteran Affairs (VA) Audit:* The VA Audit was very positive and a big kudos to PAGC staff. In March 2021, an audit was conducted, and the auditors' findings were that PGC had excellent bookkeeping and case management records and provided good service to our 91 Veteran conservatees. The auditor suggested that Deputies call the VA immediately to inform them when a veteran dies. In addition, the auditor reminded the office to complete VA accountings on time and not wait for the Court to approve the Accounting prior to sending it to Veteran Services. PAGC stays in compliance by sending the accounting as soon as it is complete.

*Panoramic (Computer Program) Enhancements:* PAGC continues to work collaboratively with TSS to enhance and improve our Panoramic computer system. The following enhancements have been implemented this year and several more are being facilitated.

- Added Medical Tables for detailed medical and psychiatric diagnosis as well as medication and health related issues. This allows easy access for staff regarding any medical and psychiatric issues
- Update Demographic details (more inclusive by adding 17 additional ethnicities)
- Update the client view in the system for staff which is user friendly
- Expand privacy users
- Created real estate report for pending status
- Created a report to track days of 5150 and 5250 holds for FYs 18, 19 and 20.
- Create a Legal Action Request report
- Improve PA History page/include the date a case was not accepted.

## Panoramic Pending Enhancements

- Revise visit reports to function better.
- Add Key Performance Indicator for Estate Administrator regarding real property oversight and create a report.

*Fillable Forms and DocuSign:* The pandemic gave the office an opportunity to make changes that had been discussed prior to this crisis. PAGC used NCR forms and hand delivered paper from one staff to another for approval until the shelter-in-place order forced us to reevaluate our process. Due to telework, a new way of doing business was essential. Several PAGC staff, who volunteer for the Toolbox Workgroup, offered to make fillable forms and even create them as DocuSign templates. This is an ongoing process as PAGC has over 75 forms that need to be converted and updated. We are delighted with the progress made and will continue to revise our forms.

*Increasing PG Fees:* The management team became aware that PAGC investigation fees, Trust fees and monthly fees had not been increased or reviewed since 2009. A market analysis was completed in 2021. Several local counties shared their fee schedules. However, since counties charge fees vastly different, the market analysis comparison did not have much of a result. The SCC Controller-Treasurer's office is assisting PAGC with reviewing ways to justify a fee increase.

*PAGC Appreciation:* To help staff stay connected and to let them know they are appreciated the PAGC management team created a Staff Drive Up Appreciation. More than half of the staff participated in the event and were greeted by the management and the administrative team. They received snack bags and chatted. Many staff had not seen each other in person in over a year and talked for a while.



*Training:* The California PA|PG|PC Association requires staff to obtain 40 Continuing Education Units (CEU) in a four-year period. This year the Association offered staff many training options. To help obtain CEUs and learn about industry trends and professionally develop, the PAGC Training Committee offered monthly trainings. The Committee took staff's mental health and stress seriously and provided many workshops to help with these issues. The Training Committee is currently working on updating the Induction training topics for newly hired staff and planning workshops for the 2022 PAGC Conference. There were additional training opportunities for staff thorough Behavioral Health, Alzheimer's Association, American Society on Aging, and SCCLearn training.

*PAGC Regional Conference:* The Santa Clara County PAGC hosts an annual Northern California Regional Conference each year and even with COVID-19, found a way to have a virtual conference. We called the conference 'March Madness' and offered at least one workshop each week in the month of March. All Public Administrator Guardian offices throughout California had the opportunity to participate. Each training had a minimum of 100 attendees. All trainings provided Continuing Education Units for staff, an opportunity to network and continued learning.

*Embrace A Senior:* This special project is always a highlight for PAGC. Santa Clara County PAGC sponsored its sixth annual special holiday project called Embrace a Senior. This project is specifically designed to collect donations and distribute holiday gifts to seniors, cognitively impaired persons, veterans, and mentally ill people representing Santa Clara County's wide range of socio-economic and ethnic populations. Our goal is to provide a meaningful gift to our clients, who may not have family, may be estranged from their loved ones, for whose families are financially unable to provide presents or just need a little joy in their life. This year we had help from the Social Services Agency Engagement and Wellness group. We incorporated a virtual giving campaign on Amazon, a virtual gift registry at Sign-up.com, and put up gift tags on trees in our lobbies. These virtual options, kind monetary donations, and raffle ticket sales provided over 500 gifts to over 300 clients.



Lobby gift-giving tree



Starbucks donates

### Embrace a Senior: Mr. M

When the DPGC arrived at the facility, she greeted Mr. M and informed him that she had a special gift for him. She handed Mr. M his Embrace a Senior gift bag and stood by and watched him as he struggled to open the hard plastic wrapping. After a few minutes, The Deputy asked Mr. M if he would like some help. He kindly declined and stated that he can handle it.

As he unwrapped the plastic covering, he could see that it was a new electronic tablet. Wow, this is from Amazon. Mr. M looked at the Deputy and said, "You know, I never knew how special I am until you brought me this special gift today. Thank you very much."



VA Donates to Embrace a Senior



### Embrace a Senior: Ms. O

Ms. O had just arrived back to the facility from a special outing with her cousin. The Deputy arrived shortly thereafter at the facility and greeted Ms. O in her bedroom. Ms. O was smiling and happy. The Deputy informed Ms. O that she had brought her some early Christmas gifts and asked if she wanted to open them now.

Ms. O excitedly said, "For me?" The Deputy responded, "Yes, for you." Ms. O slowly opened her gift and pulled out a scarf that matched her blue blouse. "Oh this is so lovely. Thank you dear." The Deputy reached back into the gift bag and pulled out a CD / radio player and sat it on her nightstand and told her that her cousin will be purchasing some CDs so she could enjoy her favorite music. Ms. O was so happy and expressed the following: Ms. Deputy, can I tell you something? Well, I went out with my cousin today; and I told her the same thing that I am telling you now, "It's people like you and my cousin that treat people like me with human kindness. We need more people like you. God bless you both!!"

Halloween Celebration: Continuing to team build and have some fun, PAGC held an office Halloween Celebration in October for the Department of Aging and Adult Services. Costumes were encouraged, several rooms were decorated and had snacks and treats. Staff came and went through the day in all of the rooms. There was a lot of laughter and fun had by all.



### 2020 Goals Accomplished

The goals set for the year were listed in the PAGC 2020 Annual Report. These were accomplished (along with many more improvements). Some of these goals included:

- Develop Supportive Decision Making for Conservatorships
- Explore use of a Financial Advisor in conservatorship cases
- Explore the computer system (Panoramic) expanding reports and calendaring
- Restore Bay Area PAGC Regional Meetings
- Update the APS/PAGC Memorandum of Understanding (MOU)

# **Future Goals**

PAGC continues to make improvements and efficiencies that impact staff and clients. This year's goals include:

- Analyze and review the possibility of increasing several PAGC fees
- Create web-based training for Induction
- Cross-train Estate Administrators in the decedent unit and the conservatee unit.
- Create a new Deputy position with the assistance of Valley Medical Center
- Provide staff with additional resources and tools to help with their jobs. For example, identification badges, more training and Medallion Signatures.