



Mendocino County
Department of Social Services
Healthy People, Healthy Communities



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Memorandum

Date:	2/23/2026
To:	Mendocino County Board of Supervisors
From:	Jennifer Thompson, Senior Program Manager, Adult and Aging Services Division
Subject:	Justification for Proposed Fee Adjustments — Public Guardian and Public Administrator Programs

Purpose

This memo provides justification for proposed adjustments to fees administered by the Mendocino County Public Guardian and Public Administrator programs. The complete proposed fee schedule is included in the Board packet. The proposed revisions align fees with actual service costs while recognizing the statutory financial limits of the population served, ensuring the County recovers what is realistically collectible without generating uncollectable balances.

About the Programs

The Public Guardian provides court-supervised conservatorship services for adults who are unable to manage their own personal or financial affairs and have no appropriate private conservator available. The Public Administrator manages the estates of deceased Mendocino County residents when no other responsible party exists to do so. Both programs serve highly vulnerable populations and operate under direct court oversight, with fees subject to judicial approval on an individual case basis.

Overview of Key Changes

The proposed fee schedule makes the following substantive changes:

- **Public Guardian — Probate Conservatorship fees:** Replaces a complex nine-tier estate-percentage structure with predictable flat annual fees for Conservatorship of the Person (COP) and Conservatorship of the Estate (COE). Eliminates the Initial Setup fee. Adjusts the real property sale fee from a flat \$1,500 to a percentage basis. Reduces the Investigation fee from \$850 to \$600.
- **Extraordinary Services — both programs:** Consolidates previously separate Deputy and Other Staff rates into a single unified rate of \$103/hour, ensuring administrative consistency across the Public Guardian and Public Administrator programs.

Public Guardian: Conservatorship Fee Changes

The Public Guardian currently manages 19 active probate conservatorship cases. The vast majority of conservatees have severely limited assets.

This financial reality makes estate-percentage fees structurally unworkable. A nine-tier percentage structure designed for larger estates produces negligible revenue when applied to a population capped at the Federal Asset cap set by the Social Security Administration of \$2,000. Flat annual fees better reflect how this program actually operates.

Notes on specific fee changes:

- **Initial Setup fee (\$2,000 eliminated):** Given that the majority of conservatees are at or near the SSI \$2,000 asset limit at the time of intake, this fee is rarely collectable in practice. Its removal reflects the financial realities of the population served and simplifies the fee schedule without material fiscal impact.
- **Real property sale fee (\$1,500 flat → 4% of sale price):** The proposed 4% rate aligns with the Public Administrator’s existing court-authorized fee structure, which permits 4% of the first \$100,000 of estate value. Applying a consistent rate across both programs simplifies administration and ensures parity between the two programs. A percentage basis also better reflects the actual staff time and fiduciary complexity involved in property transactions. Real property sales are rare among this conservatee population.
- **Investigation fee (\$850 → \$600):** \$600 is the investigation fee established by Mendocino County Superior Court Rules for court conservatorship investigations. The proposed Public Guardian investigation fee aligns with this established standard.

The table below compares proposed fees against current rates and those of comparable California counties and private fiduciaries. Full fee details are in the Board packet.

	COP Fee	COE Fee	Investigation	Case Setup
Mendocino (Proposed)	\$1,500/year	\$1,250/year	\$600	Eliminated
Alameda County	Estate %	Estate %	\$1,020	\$2,400
Glenn County	\$1,200– \$3,000/year (monthly asset-based fee)	N/A	\$600	N/A
Santa Clara County	\$1,500/year	\$1,500/year	\$900	N/A
Solano County	\$9,672/year*	N/A	N/A	N/A
Private Fiduciaries (4 firms)	\$145– \$300/hour	\$145– \$300/hour	N/A	N/A

*Solano County’s conservatorship fee is \$806/month. For SSI/SSA recipients with no other income, the fee is capped at 10% of monthly benefit or \$55, whichever is lower — a recognition by another California county of the same financial constraints facing Mendocino’s conservatee population.

Cost-Based Justification for COP Fee

The proposed COP fee is grounded in actual staff workload and county personnel costs. Based on client hours recorded across 17 active cases over the past year, the estimated annual cost of COP service delivery is \$1,506 per case — essentially equivalent to the proposed flat annual fee of \$1,500, representing full cost recovery calculated pursuant to the Mendocino County Cost Recovery and Fee Setting Internal Procedure.

	Total Hours (Year)	Active Cases	Fully Loaded Rate	Est. Annual Cost/Case
COP	248.6	17	\$103/hour	\$1,506/case

Note: Reliable COE cost data was not available for this cycle due to time tracking limitations. Enhanced time tracking protocols for COE services will be implemented this fiscal year to support future cost-based evaluation. The proposed COE fee of \$1,250 is supported by comparable county rates as reflected in the comparables table above.

Extraordinary Services Rate — Public Guardian and Public Administrator

Extraordinary services are those that fall outside the routine scope of case management and require significant additional staff time — such as complex estate administration, litigation support, or unusual asset management. By statute, extraordinary services billing is limited to specific court-authorized functions, meaning routine staff time is not recoverable and extraordinary services fees offset only a portion of actual program costs.

The proposed fee schedule consolidates Deputy and Other Staff rates, which were previously separate, into a single unified rate of \$103/hour, ensuring administrative consistency across the Public Guardian and Public Administrator programs. This rate was calculated pursuant to the Mendocino County Cost Recovery and Fee Setting Internal Procedure, accounting for salary, benefits, and overhead costs.

Program	Current Rate	Proposed Rate
Public Guardian	\$75/hour (Deputy and Others)	\$103/hour (unified rate)
Public Administrator	\$103/hour (Deputy); \$75/hour (Others)	\$103/hour (unified rate)

The proposed \$103/hour rate is consistent with comparable California counties and is conservative relative to private professional fiduciaries, who charge \$145 to \$300/hour for comparable work.

Legal Compliance

All proposed fees comply with California Probate Code requirements that fees be just, reasonable, and reflective of actual services rendered. Because the proposed conservatorship fees are set at or below documented service costs, they meet this standard. All compensation remains subject to case-specific court approval under Probate Code § 2942 (Public Guardian) and § 10801 (Public Administrator), providing judicial oversight in each matter.

Requested Action

Approval of the revised fee schedules for the Public Guardian and Public Administrator programs.