

Superior Court of California County of Santa Clara

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FOR IMMEDIATE RELEASE:

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Court Thanks Advisory Committee for Input on Private Professional Fiduciary Fees and Monitoring

Updated Local Rule to be submitted for first step in approval process on September 10th.

SAN JOSE, Calif. (August 17, 2012): the Superior Court of California, County of Santa Clara (Court) has completed its consultation with its advisory committee for private professional fiduciary fees and monitoring and thanks the committee participants for their service.

“It’s critical that we don’t make decisions in a vacuum,” said Assistant Presiding Judge Brian Walsh, who has been leading this effort on behalf of the Court. “We’ve been incredibly careful to ensure that a diverse set of voices on this issue is heard so that our proposed changes make both practical and ethical sense.”

With discussions relating to invoice notification and fee caps now complete, the Court’s internal judicial task force comprised of Assistant Presiding Judge Brian Walsh, Probate Judge Thomas Cain, Judge Franklin Bondonno, Judge Mary Ann Grilli and Judge Drew Takaichi will formulate a final proposal for the updated Local Rule.

These proposed changes will first be heard by the Court’s Rules and Internal Policies Committee on September 10th before it goes to the Executive Committee for approval the following week. Once approved by the Executive Committee, the rule will be posted 45 days for public comment before being voted on at the Court’s Bench Meeting on November 15th.

If approved by the Bench, the updated Local Rule is then submitted to the Administrative Office of the Courts, with another 45 day review period to follow. Barring any changes or opposition, the new Local Rule will become effective on January 1, 2013.

“At the heart of this matter is safeguarding our community’s vulnerable and infirmed,” said Assistant Presiding Judge Walsh. “While the vast majority of private professional fiduciaries are dedicated and ethical guardians, the Court has an obligation to ensure that we’re weeding out inappropriate and unacceptable practices. Our hope is that these new policies and procedures will assist in greater protection and care for Santa Clara County’s conservatees.”

Members of the Advisory Committee include:

Office of Assembly Member Jim Beall

- ◆ Jim Beall, Assembly Member
- ◆ Cris Forsyth, Chief of Staff
- ◆ Sunshine Borelli, Deputy Director

Office of Assembly Member Jerry Hill

- ◆ Marc Hershman, District Director
- ◆ Joshua Barousse, Field Representative

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