

Professional Fiduciaries Bureau Advisory Committee Meeting

**Tuesday, November 19, 2013
10:00 a.m. – 2:00 p.m.**

**Meeting Location:
Department of Consumer Affairs-HQ1
1625 N. Market Boulevard, 1st Floor Hearing Room
Sacramento, California 95834**

Committee Members:

Marguerite Lorenz – Chair
Barbara de Vries - Vice-Chair
Aileen Federizo
Prescott Cole
Kathleen Thomson

*Webcast

AGENDA

1. Call to Order – Marguerite Lorenz, Chair
2. Roll Call – Julia Ansel, Bureau Chief
3. Introductions
4. Election of Chair & Vice Chair
5. Approval of the Advisory Committee Meeting Minutes from July 31, 2013, Strategic Planning Meeting Minutes from July 31, 2013, and Strategic Planning Meeting Minutes from August 1, 2013
6. Adoption of Strategic Plan
7. Updates from the Director's Office – Executive Office

8. Education, Subcommittee Report – Barbara de Vries, Subcommittee Chair
 - Status on Subcommittee
 - University of California Riverside Presentation.
 - Subcommittee Future Meeting Dates
9. Ethics, Subcommittee Report – Aileen Federizo, Subcommittee Chair
 - Status on Subcommittee
 - Subcommittee Future Meeting Dates
10. Bureau Update – Julia Ansel, Bureau Chief
 - Status of the Bureau
 - FY To Date Statistics
 - E-Newsletter
 - Regulations
 - Committee Member Status
 - Discussion on Committee Members Speaking at Outreach Events and Possible Venues
11. Bureau Budget Report – DCA Budget Analyst
12. Legislative Update – DCA Legislative Analyst
13. Future Agenda items
14. Future Meeting Dates
 - General Advisory Committee Future Meeting Dates
 - Education Subcommittee Future Meeting Dates
 - Ethics Subcommittee Future Meeting Dates
15. Public Comment on Items Not on the Agenda (See “**Note**” below)
16. Adjournment

*The Advisory Committee meeting will be available via webcast.

Note: The Professional Fiduciaries Bureau Advisory Committee may not discuss or take action on any matter raised that is not included in this agenda. The Committee may however decide to place the matter on the agenda of a future meeting.

Notice: The meeting is accessible to the physically disabled. A person who needs disability-related accommodations or modifications in order to participate in the meeting should make a request no later than five working days before the meeting to the Bureau by contacting Angela Bigelow at (916) 574-7341,

angela.bigelow@dca.ca.gov or by sending a written request to the Professional Fiduciaries Bureau, 1625 North Market Blvd., Ste. S-209, Sacramento, California 95834. Requests for further information should be directed to Ms. Bigelow at the same address and telephone number.

**Professional Fiduciaries Bureau**

Post Office Box 989005

West Sacramento, CA 95798-9005

Telephone: (916) 574-7340 FAX (916) 574-8645

Website: www.fiduciary.ca.gov**MEMORANDUM**

DATE	November 19, 2013
TO	Advisory Committee Members Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #1 - Call to Order- Marguerite Lorenz, Chair Agenda Item #2 – Roll Call – Julia Ansel Bureau Chief

Advisory Committee Members:

Marguerite Lorenz – Chair

Barbara de Vries – Vice Chair

Aileen Federizo – California Licensed Professional Fiduciary

Prescott Cole – Governor Appointee – Nonprofit organization advocating on behalf of the elderly

Kathleen Thomson – Governor Appointee – Probate Court Investigator



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MEMORANDUM

DATE	November 19, 2013
TO	Advisory Committee Members Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #3 - Introductions



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MEMORANDUM

DATE	November 19, 2013
TO	Advisory Committee Members Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #4 – Election of Chair & Vice Chair – Julia Ansel, Chief

Chair:

Vice-Chair:



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MEMORANDUM

DATE	November 19, 2013
TO	Advisory Committee Members Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #5 – Approval of Meeting Minutes

Attachment #1 Advisory Committee Meeting – July 31, 2013
 Attachment #2 Strategic Planning Meeting – July 31, 2013
 Attachment #3 Strategic Planning Meeting – August 1, 2013

Public Comment:

Attachment #1

**Professional Fiduciaries Bureau**

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**Professional Fiduciaries Bureau
Advisory Committee Meeting
July 31, 2013**

**1747 N. Market Blvd., Emerald Rm., Ste. 184
Sacramento, CA 95834**

Committee Members Present

Marguerite Lorenz, Chair

Barbara de Vries, Vice Chair

Aileen Federizo, CLPF

Prescott Cole, Non-Profit Advocate on Behalf of the Elderly

Kathleen Thomson, Probate Investigator

Staff Present

Julia Ansel, Bureau Chief

Gil DeLuna, Former Acting Bureau Chief

Sonja Merold, Chief, Division of Programs and Policy Review

Angelique Scott, DCA Legal Counsel

Angela Bigelow, Program Analyst

I. Call to Order – Chair

The meeting was called to order by Ms. Lorenz at 10:03am.

II. Roll Call – Gil DeLuna, Former Acting Chief

There were three members present and a quorum was not established at time of Roll Call. Ms. Lorenz stated once the new members were sworn in a quorum would be established. Ms. Lorenz thanked Mr. DeLuna for his service as Acting Bureau Chief. A quorum was established after the swear-in ceremony with five members present.

III. Introductions

Introductions were done after the swear-in ceremony. Committee Members and Professional Fiduciaries Bureau (Bureau) staff introduced themselves.

IV. Swear-in Ceremony – Denise D. Brown, Director

Ms. Lorenz introduced Ms. Brown to swear in Julia Ansel and Prescott Cole. Kathleen Thomson was sworn in prior to this meeting and her picture was taken with Ms. Brown.

V. Approval of the Meeting Minutes from April 3, 2013

Ms. de Vries motioned to approve, Ms. Federizo seconded the motion. A vote was taken and all were in favor of approving the minutes as written.

VI. Updates from the Director's Office – Christine Lally

Ms. Lally, Deputy Director of Board and Bureau Relations, introduced herself as new to the Department of Consumer Affairs. She is looking forward to working with the Bureau and offers her office as a resource to the Bureau.

VII. Education Sub-Committee Report – Barbara de Vries, Sub-Committee Chair

Ms. de Vries reported the first meeting was held on Thursday, June 20th by teleconference. The meeting was called by Mr. DeLuna. Kevin Urbatsch is an attorney who specializes in trust law and special needs trusts. Mr. Urbatsch is the Vice Chair and he is a public member on the sub-committee. The purpose of the sub-committee is to raise the quality of education for licensees and address standardization of educational programs. An example of this would be standardizing the programs being offered as certificate programs by the Universities. Mr. Urbatsch wanted the sub-committee's input for the upcoming University of California Berkeley (UCB) Program. The sub-committee stated mentoring and field work is important. The Advisory Committee previously had a presentation by University of California State Fullerton (UCSF) and today there will be a presentation by Professional Fiduciary Association of California (PFAC). In the future we will have a presentation by University of California Riverside (UCR) and UCB once their program is in place. Eventually, the sub-committee would like to see the requirements for licensing raised but understand that will have to be done through the Legislative process.

Ms. de Vries introduced Marilyn Bessey to present the education process and program offered by PFAC.

Ms. Bessey is the Vice President of the State Board of Directors and the State Education Chair for PFAC. Ms. Bessey introduced PFAC President, Scott Phipps and Association Executive Director, Jackie Miller who were in the audience. There are approximately 600 PFAC members and 500 of those are licensed fiduciaries. PFAC's main goal is to increase member's competency and performance. The members are required to have 15 education hours to continue their membership with PFAC. Courses provided by PFAC are vetted by the education committee to verify the quality and compliance of each course. PFAC is an approved provider for California State Bar Association and PFAC follows the same guidelines for the approval process and PFAC courses qualify for MCLE credits. Ms. Bessey explained the vetting process and the requirements for approval of an education course. Courses must relate directly to what a professional fiduciary does, presenters must be highly qualified, written materials are required, and the content must offer solutions. Programs which are focused on marketing, electronic discussions, mentoring of new fiduciaries, self-study, and general business topics do not qualify for credit. The relationship between approval for PFAC Continuing Education Units (CEU) and MCLE credits are much the same. One CEU is equivalent to 60 minutes of course time. PFAC provides many opportunities for CEU's such as; chapter meetings, regional meetings, regional education days, and an annual PFAC 4-day conference. The conference offers a broad range of professional content. All annually required credits can be accomplished at the conference with these sessions and workshops. Networking and mentoring is a bonus at the conferences. There was a survey of membership to re-evaluate the educational requirements for membership. The requirements are being re-evaluated as a result of the survey. Case category was one of the survey questions and the results were that most were non-court supervised trusts, second were special needs trusts (SNT), and third were conservatorships. Half of the fiduciaries are still accepting conservatorship cases. The survey showed the largest

educational area of interests was in SNT's, second was in accounting and taxes, third was in the probate code, fourth was in investments, and last was in real property. PFAC was interested to find out where fiduciaries were receiving their education and found that 71% received their education at the annual PFAC conference and second was through MCLE. 42% of PFAC members earned 15-20 hours of CEU last year, then 34% earned 21-30 hours, and finally 23% earned more than 31 hours. The survey showed the number of years each respondent had as a PFAC member 31% had 1-3 years, 29% had over 10 years, 23% had 6-9 years, and 15% had 4-5 years. The level of fiduciary knowledge each respondent categorized themselves as: 46% advanced, 34% intermediate, and 19% beginners. PFAC noticed of the Bureaus approved providers 60% are from health care providers and all could be taken from a provider that is not fiduciary related. Should requirements be required to be taken in specific areas to be rounded out? 25% of PFAC members took this survey which Ms. Bessey thinks was a pretty good sample. The education committee for PFAC has put in standards and guidelines and is now developing PFAC's own proprietary education program similar to CSUF, UCR and UCB for prelicensing and continuing education. Raising educational standards may help to drop the insurance prices for fiduciaries. Some of the programs are on-line and have lecture in addition to Skype or camera portion where the students and teacher interact with discussion. Indiana has a model with on-line visual and reading, practical hands on research, in person classes with an instructor and interact with specific problems and come up with a solution, and finally a test. PFAC has come up with a hybrid program starting with an on-line module with a quiz on each module, then the students will do a hands-on portion with research papers, then they will come into the classroom with an instructor. Ms. Lorenz asked if the insurance industry will be included in this program and Ms. Bessey stated that PFAC's next step is to talk to the insurance industry. In the classroom, students will be divided into small groups, given problems, discussion to come up with a solution. Then the small groups will report to the larger group with their solutions. Finally, there will be an assessment in the form of a test. PFAC has made the financial commitment for the hybrid module and course content has been prepared, editors are editing the content at this time and a video production company has been retained, and a web services provider has been identified. The first course will be conservatorship of the person; the second will be in accounting, and finally real property. PFAC commits to high quality relevant content courses, best practices instructional environment, and will continue to develop programs at all levels to serve members.

Mr. Cole asked about the insurance pressures and could a course be developed for financial abuse awareness. Ms. Bessey stated there is already a course that addresses financial abuse. Mr. Stramel asked if PFAC had looked at model called Coursera. He feels the model is very good.

Mr. DeLuna provided an update on the UCB advisory board. There were former probate judges, geriatric professionals, bond companies, insurance professionals, professional fiduciaries, and a court investigator. Outcome of meeting is a course outline was developed and substantive materials were developed. Two courses for 2014 are in-class courses and will be used to perfect the courses before rolling out on-line. The first course will be the Challenges and Opportunities for professional fiduciaries and personal conservatorships. Each 15 hour course will be of a 90 hour program and will be eligible for education credits.

Mr. DeLuna introduced Anna Lee from UCB. Ms. Lee took over for Paul Emery. She thanked Mr. DeLuna for working so hard to assist in developing this plan which is scheduled to begin next spring. UCB's goal is to educate new people who would like to become fiduciaries such as nurses, healthcare people, social workers, JD's, and CPA's.

PFAC is establishing a program with high standards. Ms. de Vries thinks it is important to find out if a person is eligible to be bonded prior to starting the licensing process. Ms. Federizo would like to see individuals practice with professionals so that when a new fiduciary goes into the real world they know what to do. Ms. de Vries stated this may be a legislative change to allow a mentorship program. Ms. Lorenz stated to please review the minutes from the April 3, 2013 meeting as mentoring and trainee licensing was discussed. Ms. Scott stated the Bureau could consider adjusting its regulations within the parameters of the Bureau's legislative authority. Mr. Phipps stated this is a concern for new members and PFAC has looked into this but there are liability issues. PFAC has developed a peer group program for licensees to discuss cases and receive recommendations. Mr. Prescott asked about caregivers being brought in as fiduciaries, he is concerned about financial abuse if the caregiver starts taking over a clients finances. Ms. Lee stated she was listing who may be interested in the profession. Mr. DeLuna stated this is who the course may be marketed to for people wanting to change careers and they would not be doing both jobs at the same time. Ms. Lorenz stated there would have to be a division between roles and they should not be doing both duties but the more education the better. Ms. Lee added the first class will be an introductory class to talk about these issues. There are seven courses. One of the courses is ethics and conflicts which will cover this issue. Ms. Lorenz stated UCB will be presenting at a future meeting.

Break – 11:07am-11:21am

VIII. Bureau Update – Sonja Merold, Chief, Division of Programs and Policy Review

- Status of the Bureau – Ms. Merold introduced Angelique Scott who spoke about protocol for advisory committee meetings. Ms. Scott stated she also provides legal advice on matters involving the Fiduciaries Act and Bureau regulations and also sits in on the committee meetings to make sure the members are compliant with Bagley Keene Meeting Act. A copy of the Act was provided to the new members for this meeting and there is a “cheat sheet” provided in today’s meeting packets. There are specific requirements that are required of each member including Board Member Orientation Training (BMOT). The next BMOT is scheduled on November 20, 2013. Ms. Ansel is an active fiduciary but has recused herself to not act as a fiduciary while serving as the Bureau Chief. Ms. Merold announced the Governor has appointed a new Chief and two new Committee Members. The Bureau is going through Sunset Review process and has prepared a draft and that draft is going through internal review. A hearing will be set and posted on the Bureaus website. Sunset Review is the Bureau’s opportunity to re-justify the bureaus missions, values, and activities. The Sunset Review report goes through Agency, the Governor’s Office, and Legislative oversight hearings. The Bureau will be developing a Strategic Plan this afternoon and members of public are invited to participate. The document will be used as a road map for the Bureau to accomplish its goals.
- FY to Date Statistics – There are 78 new licenses issued, for a total of 716 issued since the Bureau’s inception and 614 of these licenses are active. The Bureau received and opened 99 complaints. The Bureau closed 122 complaints and the average days to close a complaint were 184 days. At the end of the fiscal year there were 27 complaints pending. The Bureau issued 10 citations and there are 6 licensees on probation. Ms. de Vries asked the main issues of complaints received. Mr. DeLuna stated stolen money, not all assets inventoried and are now missing, fees charged to the client, and the clients wants a new

fiduciary. Ms. de Vries asked what the citations were issued for. Mr. DeLuna stated they were issued for paperwork not reporting on Annual Statement certain clients, unlicensed activity, failure to look out for best interest of client, and bounced checks. Ms. Lorenz asked percentage of complaints for new versus experienced fiduciaries. Mr. DeLuna stated this has not been tracked but most seem to be experienced fiduciaries. Mr. Prescott asked which time period the complaints were closed in. Ms. Bigelow stated all statistics were as of the end of FY 2012-13. Mr. Prescott asked if statistics are kept on the caseload of the fiduciaries the Bureau receives complaints about. Mr. DeLuna answered that those statistics are not tracked, only the aggregate dollar amount under the supervision of the fiduciary are tracked, but a licensee's caseload is looked at when investigating a case. Mr. Counts asked if there are statistics on why the licensees did not renew. Mr. DeLuna stated the Bureau is planning to conduct a survey because the Bureau has heard fiduciaries are not renewing because they cannot get work. The Bureau can do a survey for this. Ms. Bessey asked for the reasons there are 27 pending at the end of the FY. Ms. Merold answered the pending cases are still somewhere in the investigative process.

- E-Newsletter – The E-Newsletter is a primary tool to communicate about the work of the Bureau. The Bureau would like to invite everyone to present articles to the new Bureau Chief. Enforcement, complaints, senior gateway portal, ASK Angie, and Legislative updates are all topics from the last newsletter. The Bureau is looking to create a fall issue and will send out a deadline for articles to be submitted for the issue in November. Ms. Lorenz feels this is very helpful for the industry especially for the complaint process.
- Regulations – Proposed regulations are in formative state for Disciplinary Guidelines that will become regulation to enhance disciplinary and enforcement functions to provide documentation to Administrative Law Judge (ALJ) when making decisions. Second, is Client Notification for the fiduciary to provide notification to clients that they are licensed. This regulation is in the process of finalizing language. Ms. Lorenz asked for clarification if this regulation is to require fiduciaries to put their license number on all marketing materials. Ms. Merold stated this regulation would require having a public notice or a document having the client sign that they are aware the fiduciary is licensed. Mr. DeLuna stated there will also be advertising regulation which would require a fiduciary to put their license number on any type of advertising. Ms. Lorenz is concerned that the language may not be appropriate and the Bureau should work with an Estate Planning Attorney to make sure it is not conflicting with other fiduciary requirements and responsibilities. Mr. DeLuna stated the regulation process includes a public comment period where this can be brought up prior to the regulation going into effect.

IX. Bureau Budget Report – Robert De los Reyes, Budget Analyst

Robert presented the budget in a PowerPoint presentation and handouts were provided in the packets. Mr. De los Reyes works with the Bureau to monitor revenues and expenditures for the Bureau. The Bureau spent 91% of their budget for FY 2012-13. The Bureau collected 97% of the revenue that was estimated. The approved Budget for FY 2013-14 is \$440,000, estimated revenue is \$575,000. Mr. Prescott asked if there is a cap on the reserve that the Bureau is able to hold. There is general language that programs cannot exceed 24 months in reserve. Then there is a protocol including addressing if renewal fees should be reduced. Mr. Counts asked whether anyone determined an ideal level of reserves for this Bureau specifically. Nothing is set in stone

for the Bureau to maintain but there is an internal target of 3-4 months. Ms. Bessey asked how the basis of estimated revenue is determined. Part of the budget process is using historical trends for the last 3 years and there is an upward trend which includes growth for the FY's to come. Ms. Miller asked if the Bureau expects any additional staff hires. Mr. DeLuna stated it can be requested and the last 2 years it was not justifiable. Ms. Federizo asked if the line item for program expenditures includes staff and it does. Mr. Prescott stated the State Bar has a status for a license to be inactive. Ms. Scott stated there is not legislative authority to make a license inactive. Mr. Prescott stated this would be a revenue generator for the Bureau if the Bureau had Legislative authority. Mr. Counts asked what the annual renewal fee is and it is \$700. Mr. Counts based on that it appears the Bureau thinks there will be a dropping off of renewal fees. Mr. De los Reyes answered that this is part of the process to estimate future years. Ms. Lorenz stated this is a conservative estimate.

X. Legislative Update – Scott Allen, Legislative Analyst

Mr. Allen presented a brief update on five bills being tracked by the DCA that affects fiduciaries and attachment 6 of the meeting packet is DCA wide bills that affect all programs within DCA.

AB381 relative to estates trusts: undue influence and elder abuse.

This bill allows court to award attorney fees and costs as well as double damage fees. The bill has passed both houses at this time and is being prepared to go to Governor's Office. Ms. de Vries stated this may be a problem with pf getting mail of clients to weed out scams. Mr. Allen stated the court would have authority to alter this.

AB1029 relative to trusts and estates and allocation of receipts. DCA is just watching this bill. This bill would clarify how partial liquidation would be determined. This is on its way to the Governor's Office.

AB1339 relative to guardians and conservators would require the fiduciary to disclose fee schedule to conservatorship cases prior to being appointed. DCA has taken a neutral position on this bill.

SB156 relative to conservatorships and guardianships attorney's fees. This bill limits the fiduciary from collecting fees from the estate for any costs incurred in defending a conservator's compensation petition. This bill is on the senate floor at this time.

Mr. Cole appreciates DCA tracking AB381 but asked why DCA is not tracking AB140 which changes the definition of undue influence in financial abuse in elders. This bill was not identified by Governor's Office or DCA to track but Mr. Allen will take a look at this bill. Ms. Lorenz feels this should be tracked and she is requesting this be reported on at the next meeting.

XI. Future Agenda items

- UC Riverside presentation and report from Education Committee
- Chair and Vice Chair elections
- AB140 update

XII. Future Meeting Dates

Next meeting will be November 19, 2013 in Sacramento.

XIII. Public Comment on Items Not on the Agenda

No public comment.

XIV. Adjournment

The meeting was adjourned at 12:15pm.

Attachment #2



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**Professional Fiduciaries Bureau
Strategic Planning Meeting
July 31, 2013**

**1747 N. Market Blvd., Emerald Rm., Ste.184
Sacramento, CA 95834**

Committee Members Present

Marguerite Lorenz, Chair
Barbara de Vries, Vice Chair
Aileen Federizo, CLPF
Prescott Cole, Non-Profit Advocate on Behalf of the Elderly
Kathleen Thomson, Probate Investigator

Staff Present

Julia Ansel, Bureau Chief
Gil DeLuna, Former Acting Bureau Chief
Sonja Merold, Chief, Division of Programs and Policy Review
Angelique Scott, DCA Legal Counsel
Angela Bigelow, Program Analyst

I. Call to Order – Chair

The meeting was called to order by Ms. Lorenz at 2:30pm.

II. Roll Call – Julia Ansel, Bureau Chief

There were five members present and a quorum was established.

III. Introductions

Those in attendance introduced themselves.

IV. Strategic Planning Session – Department of Consumer Affairs Strategic Planning Unit

- Discuss Strategic Planning Process – Tom Roy gave an overview of the 2-day process for Strategic Planning. The Strategic Planning document should be a document for the Committee and the Bureau and Mr. Roy may make suggestions, but the final product should be one the Committee and Bureau can live with. Mr. Roy will provide structure for the planning meeting but he will not be providing content. Mr. Roy and Ms. Menzel will turn these ideas into a document to be presented at the next Advisory Committee Meeting. Ground rules for Strategic Planning Sessions are; to create options and filter them later, respect everyone's contributions, everyone should participate, make decisions by consensus when possible, focus on concepts not word-smithing this will be done by the Solid office and presented for adoption at the next Advisory

Meeting, minimize distractions such as cell phones, and public comment will be reserved for the end of each day.

Once the plan is adopted, if the Bureau Chief would like to use the Solid Office for Action Planning Meeting that will be arranged. The Action Planning Meeting delves into who does what by when.

Key questions to ask are where have we been and where will we be going. We will be doing this by looking at the Bureau's accomplishments, reviewing the environmental scan, and how we will get to where we want to be.

- Review 2010-2013 Strategic Plan
- Review Current Mission and Vision Statements –

Mr. Roy presented the current Vision Statement and examples of other Vision Statements. Mr. Roy stated the Vision Statement should be the "pie in the sky". Meeting attendees broke into three work groups and returned with three DRAFT Vision Statements.

It was decided the new Vision Statement will be:

"To protect, maintain, and enhance the quality of life for consumers by promoting the highest Professional Fiduciary standards."

Mr. Roy presented the current Mission Statement and examples of other Mission Statements. Mr. Roy stated the Mission statement should cover; why the Bureau exists and its current mandate, who our consumers are, what our consumers need, and how we will serve our consumers. Meeting attendees broke into three work groups and returned with three DRAFT Mission Statements.

It was decided the new Mission Statement will be:

"To protect consumers through licensing, education, and enforcement and ensuring the competency and ethical standards of Professional Fiduciaries."

Ms. Menzel explained Core Values will guide the Bureau's decision making and the standards by which we will be held accountable.

Break

Ms. Menzel presented some examples of Core Values and asked the attendees to break into two groups and pick five or six of the examples that should be the focus of the Bureau.

It was decided the Values would be:

- 1) Consumer Protection – We make effective and informed decisions in the best interest of the consumer.
- 2) Accountability – We are accountable to consumers and licensees. We operate transparently and encourage public participation in our decision-making.
- 3) Professionalism – We are qualified, competent and skilled.
- 4) Integrity – We are honest, fair, respectful and ethical.
- 5) Effectiveness – We make informed decisions in order to achieve positive, measurable results.

6) Initiative – We proactively seek solutions and improvements.

V. Strategic Planning – Next Steps

There will be a meeting tomorrow to set goals for the Bureau's Strategic Plan

VI. Public Comment on Items Not on the Agenda

Mr. Counts suggested that the value "Consumer Protection" be placed first on the list of values and that the committee decide an order for the rest of the values. Mr. Counts also asked that the word "Professional" be dropped from the Vision Statement because if the Bureau aims to raise fiduciary standards overall, then others who have a fiduciary duty will also raise their standards. Ms. Lorenz stated the Bureau only regulates licensed Professional Fiduciaries and cannot raise the standards for others who have a fiduciary duty but are not regulated by the Bureau.

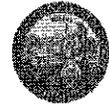
VII. Adjournment

The meeting was adjourned at 4:45pm

Attachment #3



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**Professional Fiduciaries Bureau
 Strategic Planning Meeting
 August 1, 2013**

**1747 N. Market Blvd., Emerald Rm., Ste. 184
 Sacramento, CA 95834**

Committee Members Present

Marguerite Lorenz, Chair
 Barbara de Vries, Vice Chair
 Aileen Federizo, CLPF
 Prescott Cole, Non-Profit Advocate on Behalf of the Elderly
 Kathleen Thomson, Probate Investigator

Staff Present

Julia Ansel, Bureau Chief
 Gil DeLuna, Former Acting Bureau Chief
 Sonja Merold, Chief, Division of Programs and Policy Review
 Angelique Scott, DCA Legal Counsel
 Angela Bigelow, Program Analyst

I. Call to Order – Chair

The meeting was called to order by Ms. Lorenz at 9:00am.

II. Roll Call – Julia Ansel, Bureau Chief

There were five members present and a quorum was established.

III. Introductions

Ms. Lorenz stated introductions were not needed as this had been done yesterday and no one new was present.

IV. Strategic Planning Session –

- Review of Day 1 Strategic Planning Session – Mr. Roy reviewed the Vision and Mission Statements and Values that were decided on. All in attendance were satisfied with the finished product. Mr. Roy reviewed the existing Strategic Plan 2010-2013 and asked for the items completed and if any of the items need to be carried forward to the new Strategic Plan.
- Review Responses and Environmental Scan – Mr. Roy reviewed the Environmental Scan which was created from a survey that was sent to Bureau employees-internal, Committee Members-external, and Consumer Advocates.
- Review and Update of Goals – Mr. Roy reviewed the existing Strategic Plan 2010-2013 and asked which items were completed and if any of the items need to be carried forward to the new Strategic Plan. The committee reviewed the existing goals and objectives and determined the following:
 - Goal 1: Licensure
 - Increase the number of licensees by reaching out to other professions with relatable experience (i.e. social workers, gerontology, etc.) – This was completed,

however, the committee determined this item should be carried forward to the next plan to continue reaching out to other professions.

- Partner with other government entities to increase licensure – Mr. DeLuna worked with Assembly Member Joan Buchanan and talked about care givers and healthcare organization and possibly creating a sub-category under the fiduciary license. Ms. Bigelow stated this item was assigned to former committee member Sharon O'Neil and Ms. O'Neil did make initial contacts to Adult Protective Services and the Public Guardian. Ms. Lorenz thinks this should be carried over to the next plan.
 - Research the feasibility of creating an entry level license type for trainees, and develop the program if viable – This was not done. Ms. Bigelow stated this would be a Legislative change. The intent of this objective was to create and trainee or internship license. Ms. Lorenz does not support this objective. Ms. Scott stated this would take a Legislative change and that the license type would have a variation to show the consumers the person is a trainee and not fully licensed. Ms. de Vries stated this is only researching the possibility of doing this. Mr. DeLuna stated it could also be a license category such as someone who only handles Trusts or only Conservatorships and then a license that encompasses all types of cases.
- Goal 2: Enforcement
 - Establish the Bureau's Cite and Fine program – This was done.
 - Actively seek out unlicensed activity in partnership with the Department's Unlicensed Activities Unit – This unit no longer exists. Mr. DeLuna stated the Bureau does seek out unlicensed activity.
 - Leverage enforcement activity with Division of Investigation – This was done and is on-going.
 - Attend underground economy task force meetings and partner with Economic Employment Enforcement Coalition (EEEC) – Mr. DeLuna did this and it was specific to unlicensed activity but the coalition had more to do with construction.
 - Post formal disciplinary accusations against licensed professionals on the Bureau's website – This was done and is on-going and is also published in the E-Newsletter.
 - Participate in the Department's Consumer Satisfaction survey on closed complaints – This is not done anymore.
 - Goal 3: Communication & Education
 - Educate consumers and provide license information to professionals (online FAQ's for licensing information and Professional Fiduciaries Bureau forms) – Yes this is done and is on-going.
 - Seek out media opportunities – Mr. DeLuna clarified this was to do press releases about enforcement actions and this did not happen. This should be carried forward.
 - Develop Professional Fiduciaries Bureau publications in multiple foreign languages – This was not done. The committee decided not to carry this forward.
 - Work with the Department's Publications Design unit to develop new publications – This was done. There is an E-Newsletter and the brochures have been redesigned and the publications are on the Bureau's website.

- Partner with CIC and Outreach to increase the dissemination of PFB messages and publications – This has been completed but is on-going. CIC has staff that is trained by the Bureau to answer calls for the Bureau.
- Develop PSA's and forums for the Senior Legislature – This was not done. This item will be carried forward to the next plan. However, Mr. DeLuna worked on a task force and a Senior Gateway website was created as a one-stop shop for seniors.
- Partner with State Bar's Trust and Estate section to increase outreach – This was not done. Ms. Bigelow stated Barry could not be here today, but stated they are still willing to partner with the Bureau. Mr. Cole stated this program would fit in nicely with the Bureau's education program.
- Attend local PFAC and California Association Superior Court Investigators meetings and their Annual conference for training purposes – Mr. DeLuna attended meetings but due to travel restrictions was not able to attend the conference. Mr. Lorenz stated the E-Newsletter got into each PFAC Conference bag and this was a great accomplishment.
- Establish Outreach and communication to judges through the Administrative Office of the Courts (AOC) – This was assigned to Richard Lambie and as far as Ms. Bigelow knows this was not completed. This will be carried over to the next plan.
- Gather and disseminate examples of industry best practices – This was not done, however, there was some information on this in the E-Newsletter. This will be carried over to the next plan.
- Gather and disseminate Victims' accounts of consumer fraud and abuse – This was not done. The Bureau does use social media through the publications office and the Bureau meetings are archived on youtube.com. This will be on-going. Ms. Scott feels this should be addressed legally as to what can be shared. Gathering stories from the Bureau's complaints and printing them is not legally permissible. However, asking for stories from licensees would be permissible as long as names and other personal information is not used.
- Clarify the license renewal process – Ms. Lorenz feels this has been completed. This has been clarified by the website, phone calls, emails, and in the E-Newsletter. This will be on-going.

o Goal 4: Regulation and Legislation

- Seek Legislation to require licensure for all types of Durable Power of Attorney and Estate Administration not currently covered under present statutes – Ms. Bigelow stated the former committee wanted DPOA for estate administration to be added. This has not been done. This will be carried forward to the next plan.
- Develop Cite and Fine regulations – This was done.
- Develop advertising regulations requiring the inclusion of a licensee's professional fiduciary license number – This is in process, the language has been approved. This will be carried forward to the next plan.
- Seek ways to streamline the license process through legislation – Ms. Bigelow stated the process is as streamlined as much as possible for the Bureau. The length of time it takes to become licensed is due to the pre-licensing requirement which can take a year or more to complete then the licensing and exam process. The Bureau staff continues to meet their goals in licensing and enforcement. This will not be carried over to the next plan.

Below are the accomplishments of the Bureau since the 2010 strategic plan was adopted. The following accomplishments will be highlighted in the new strategic plan:

- Reduced expenses by implementing provisions of Senate Bill 543, Steinberg (Chapter 448, Statutes of 2011) authorizing the Bureau to enter into stipulated agreements with applicants and licensees.
- Conducted an occupational analysis and made revisions to the State and National portions of the licensing exam.
- Implemented a cite-and-fine program.
- Successfully partnered with the Department of Consumer Affairs, Division of Investigation to investigate complaints of misconduct and pursue unlicensed activity.
- Created and implemented an expert consultant process enabling the Bureau to conduct enforcement investigations more quickly and effectively.
- Improved education to consumers and licensees through updates to the Bureau's website, e-newsletter, brochures and other promotional material.
- Posted formal disciplinary accusations and cite and fines against licensed professionals on the Bureau's website.
- Created a social media presence for gathering and disseminating consumer information via YouTube and Twitter.
- Participated in the creation of the Senior Gateway web portal which is the Department of Consumer Affairs' one-stop website that connects seniors, their families, and caregivers with the information, services, and resources needed to find answers and solve problems.
- Recruited and appointed a new Bureau Chief with Professional Fiduciary experience.

Mr. Counts suggested the Bureau should educate the EEEEC on what to look for in unlicensed activity. Also, the Bureau should partner with the California State BAR Association to ask about having a table at their section meeting to educate tax attorneys. The Bureau should also work with the trust section to be on the panel to educate tax attorneys.

Break 10:08-10:28

The Committee determined the following will be the goals for the new strategic plan:

1. Licensure – Promote licensing standards to protect consumers and allow access to the professions.
 2. Enforcement – Consumer quality of life is protected by the enforcement of laws and regulations governing the fiduciary profession.
 3. Communication & Outreach – Consumers and licensees are proactively informed about the practice, regulations, and developments that affect the fiduciary profession.
 4. Professional Education – Consumer protection is enhanced through initial and continuing education requirements for licensees.
 5. Regulation and Legislation – Protect consumers by enhancing regulation and legislation to meet evolving industry challenges.
 6. Administration – Efficiently use resources and personnel to meet Bureau goals and objectives.
- Review and Update Objectives – After reviewing the Environmental Scan results, the committee discussed and determined the following objectives for each goal:
 1. Licensing
 - 1.1 Partner with other government agencies, professional associations and advocacy organizations to educate about Professional Fiduciary licensing requirements.

- 1.2 Create legislation for a Retired, Deceased, and Cancelled license designation. Additionally, create legislation to allow reinstatement of a license when appropriate.
- 1.3 Update the Bureau's website to include current information on the licensing process.
- 1.4 Research the feasibility of creating a Specialty and/or Certification license type.
- 1.5 Research the feasibility of creating an Entry Level license type.
- 2. Enforcement
 - 2.1 Actively seek out unlicensed activity in partnership with other government agencies.
 - 2.2 Ensure adequate enforcement staffing levels to comply with Department enforcement timeframes.
 - 2.3 Clarify the complaint process on the Bureau's website to better inform stakeholders. Provide information about mandated reporting on the complaint form.
 - 2.4 Establish regulations for the Bureau's disciplinary guidelines.
 - 2.5 Research and identify multi-professional licensees to determine potential conflict of interest or misuse of their fiduciary license.

Break 12:02pm-1:35pm

Roll call was taken again after lunch and there were five Committee Members present.

- 3. Communication & Outreach
 - 3.1 Establish relationships with other regulatory agencies, professional associations and advocacy organizations to educate consumers about the Professional Fiduciaries Bureau.
 - 3.2 Identify and use media opportunities to increase Bureau visibility and its activities.
 - 3.3 Establish an electronic subscriber list for the E-Newsletter and increase circulation by 30%.
 - 3.4 Gather and disseminate stakeholder article submissions through the E-Newsletter.
 - 3.5 Identify other professional license types held by licensees to target fiduciary education and outreach efforts in these disciplines.
- 4. Professional Education
 - 4.1 Standardize pre-licensing requisites for approved Professional Fiduciary educational programs.
 - 4.2 Standardize continuing education requisites for approved Professional Fiduciary continuing education vendors.
 - 4.3 Explore the legality and feasibility of providing self-study continuing education units through the Bureau's E-Newsletter.
- 5. Regulation and Legislation
 - 5.1 Establish regulations to require a licensee's professional fiduciary license number on advertisements.
 - 5.2 Establish regulations for record retention and disclosure requirements.
 - 5.3 If creation of an Entry Level license type is feasible, pursue legislative and regulatory changes and implement.
 - 5.4 If creation of Specialty and/or Certification license types is feasible, pursue legislative and regulatory changes and implement.
 - 5.5 Assess feasibility (and modify if appropriate) CCR 4446 to remove the list of approved education providers.
 - 5.6 Establish legislation requiring licensees to disclose professional liability insurance.
 - 5.7 Establish legislation to expand professional fiduciary licensure to include estate/probate administration, personal representatives and special administrators in parity with Business & Professions Code 6501(f)(2).

6. Administration

- 6.1 Ensure adequate staffing levels to achieve the Bureau's mandated goals and objectives in the areas of licensing, enforcement and education.
- 6.2 Finalize internal Bureau policy and procedures manual.
- 6.3 Work with the Department of Consumer Affairs to ensure successful implementation of the BreEZe system.
- 6.4 Create an assessment tool for staff in the Complaint Resolution Program to assist in triaging Bureau complaints to better protect the public and to reduce enforcement cycle times.

Break

V. Strategic Planning – Next Steps:

- Draft Strategic Plan to the Bureau by 9/1/2013
- Edits from Bureau to Solid by 9/15/2013
- Final Draft to the Bureau by 10/1/2013
- Adoption of Strategic Plan at 11/19/2013 Advisory Committee Meeting
- Action Planning 2/??/2014

VI. Public Comment on Items Not on the Agenda

Ms. Bessey requested the Business and Profession code be changed to allow an LLC to be licensed. Ms. Lorenz replied a fiduciary is not allowed to operate under an LLC and this would not be a protection for consumers. Ms. Bessey also requested the consideration of lowering renewal fees. This is not a possibility at this time.

Mr. Counts suggested the Bureau provide direction to the Trust Attorney's on how to subscribe to the E-Newsletter and request article submissions from them. He would also like the Bureau to explain to CPAs and attorneys why they should not be doing fiduciary work without the adequate training.

VII. Adjournment

The meeting was adjourned at 3:15pm



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MEMORANDUM

DATE	November 19, 2013
TO	Advisory Committee Members Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #6 – Adoption of Strategic Plan

Attachment #4 DRAFT Strategic Plan

Public Comment:

Attachment #4

DEPARTMENT OF CONSUMER AFFAIRS

PFB

PROFESSIONAL FIDUCIARIES BUREAU

Strategic Plan

2014-2016

**Professional
Fiduciaries
Bureau of California**

STATE OF CALIFORNIA

dca

DEPARTMENT OF CONSUMER AFFAIRS

MEMBERS OF THE PROFESSIONAL FIDUCIARIES
ADVISORY COMMITTEE OF CALIFORNIA

Marguerite Lorenz, California Licensed Professional Fiduciary,
(CLPF), Committee Chair

Barbara de Vries, CLPF, Committee Vice-Chair

Aileen Federizo, CLPF, Professional Member

Donna Estacio, Public Member

Prescott Cole, Elderly Advocate Representative

Kathleen Thomson, Probate Court Investigator

Julia Ansel, Bureau Chief

DRAFT

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MISSION, VISION, AND VALUES	5
STRATEGIC GOALS AND OBJECTIVES.....	6

DRAFT

MESSAGE FROM THE BUREAU CHIEF

It is with pleasure that I present the Professional Fiduciaries Bureau's (Bureau) 2014-2016 strategic plan. Our mission is "To protect consumers through licensing, education, and enforcement and by ensuring the competency and ethical standards of Professional Fiduciaries." To fulfill our mission, we must follow a realistic and achievable plan that focuses on accountability and attainable goals. This document will serve as a guide for the Bureau to continue to move forward as an effective and efficient organization.

Professional Fiduciaries work with individuals who may be vulnerable to abuse or financial exploitation. This strategic plan assists the Bureau in identifying key goals that will help improve our ability to continue to protect these potentially vulnerable consumers. Protection of the public is the highest priority for the Bureau in exercising its licensing, regulatory, and disciplinary functions. We are committed to informing and educating consumers about the vital role that Professional Fiduciaries serve in our State.

I would like to thank the members of the Bureau's Advisory Committee for their contribution to this document. Their willingness and enthusiasm to lend their professional knowledge to the Bureau is appreciated and admired.

As an advocate for consumer protection, I present the Professional Fiduciaries Bureau's strategic plan to the staff, consumers, licensees, and stakeholders as my pledge to continue to improve and enhance services the Bureau provides in this State.

Julia G. Ansel, Chief
Professional Fiduciaries Bureau
Department of Consumer Affairs

ABOUT THE PROFESSIONAL FIDUCIARIES BUREAU OF CALIFORNIA

Legislation enacted into law in 2007 established the Professional Fiduciaries Bureau (Bureau) for the purpose of regulating non-family member professional fiduciaries, including conservators, guardians, trustees, and agents under durable power of attorney as defined by the Professional Fiduciaries Act. The Professional Fiduciaries Act is comprised of the Business and Professions Code Section 6500, et. seq. and the California Code of Regulations, Title 16, Section 4400 - 4622.

Professional Fiduciaries provide critical services to seniors, disabled individuals, and minors. Professional Fiduciaries manage matters for clients such as daily care, housing and medical needs along with offering financial management services ranging from bill paying to estate and investment management.

Requirements for licensing include passing an examination, completing thirty (30) hours of approved education courses, and earning fifteen (15) hours of continuing education credit each year for license renewal.

The mandate of the Bureau is to protect and serve the consumer by licensing and by enforcing the Professional Fiduciary Act and its regulations. To accomplish this, the Bureau ensures only applicants possessing the required education experience qualifications and examination requirements receive licenses.

The enabling statute to license Professional Fiduciaries was signed into law in 2007, thus establishing the Professional Fiduciary Advisory Committee. The Committee is comprised of a total of seven (7) members as outlined in the table below:

COMMITTEE MEMBER	MEMBERS	APPOINTED BY
Public Members	2	One member by Senate Rules Committee and one member by Speaker of the Assembly
Certified licensed professional fiduciary members	3	Governor
Probate court investigator	1	Governor
Non-profit organization advocating on behalf of the elderly	1	Governor

The Governor also appoints the Bureau Chief. Bureau staff consists of 1.7 permanent positions.

The Bureau continually strives to enforce its mandate and mission in the most efficient manner by exploring new and/or revised policies, programs, and processes. The Bureau also actively works to increase the quality and availability of services, as well as providing courteous and competent service to all stakeholders.

DRAFT

RECENT ACCOMPLISHMENTS

As a part of the strategic planning process, the Advisory Committee evaluated its previous strategic plan goals and identified which objectives were accomplished. The following are the significant Bureau accomplishments since the 2010 strategic plan was adopted:

- Reduced expenses by implementing provisions of Senate Bill 543, Steinberg (Chapter 448, Statutes of 2011) authorizing the Bureau to enter into stipulated agreements with applicants and licensees.
- Conducted an occupational analysis and made revisions to the State and National portions of the licensing exam.
- Implemented a Cite-and-Fine program.
- Successfully partnered with the Department of Consumer Affairs' Division of Investigation to investigate complaints of misconduct and pursue unlicensed activity.
- Created and implemented an expert consultant process enabling the Bureau to conduct enforcement investigations more quickly and effectively.
- Improved education to consumers and licensees through updates to the Bureau's website, e-newsletter, brochures, and other promotional materials.
- Posted formal disciplinary accusations and cite and fines against licensed professionals on the Bureau's website.
- Created a social media presence for gathering and disseminating consumer information via YouTube and Twitter.
- Participated in the creation of the Senior Gateway web portal which is the Department of Consumer Affairs' one-stop website that connects seniors, their families, and caregivers with the information, services, and resources needed to find answers and solve problems.
- Recruited and appointed a new Bureau Chief with Professional Fiduciary experience.

OUR VISION

To protect, maintain, and enhance the quality of life for consumers by promoting the highest Professional Fiduciary standards.

OUR MISSION

To protect consumers through licensing, education, and enforcement by ensuring the competency and ethical standards of Professional Fiduciaries.

OUR VALUES

Consumer Protection – We make effective and informed decisions in the best interest of the consumer.

Accountability – We are accountable to consumers and licensees. We operate transparently and encourage public participation in our decision-making.

Professionalism – We are qualified, competent and skilled.

Integrity – We are honest, fair, respectful, and ethical.

Effectiveness – We make informed decisions in order to achieve positive, measurable results.

Initiative – We proactively seek solutions and improvements.

GOAL 1: LICENSURE

Promote licensing standards to protect consumers and allow access to the profession.

The objectives to meet this goal are listed below in order of priority.

- 1.1** Partner with other government agencies, professional associations and advocacy organizations to educate about Professional Fiduciary licensing requirements.
- 1.2** Create legislation for a Retired, Deceased, and/ or Cancelled license designation. Additionally, create legislation to allow reinstatement of a license when appropriate.
- 1.3** Update the Bureau's website to include current information on the licensing process.
- 1.4** Research the feasibility of creating a Specialty and/or Certification license type.
- 1.5** Research the feasibility of creating an Entry Level license type.

GOAL 2: ENFORCEMENT

Consumer quality of life is protected by the enforcement of laws and regulations governing the fiduciary profession.

The objectives to meet this goal are listed below in order of priority.

2.1 Actively seek out unlicensed activity in partnership with other government agencies.

2.2 Ensure adequate enforcement staffing levels to comply with Departmental enforcement timeframes.

2.3 Clarify the complaint process on the Bureau's website to better inform stakeholders. Provide information about mandated reporting on the complaint form.

2.4 Establish regulations for the Bureau's disciplinary guidelines.

2.5 Research and identify multi-professional licensees to determine potential conflict of interest or misuse of their Professional Fiduciary license.

GOAL 3: COMMUNICATION & OUTREACH

Consumers and licensees are proactively informed about the practice, regulation, and developments that affect the fiduciary profession.

The objectives to meet this goal are listed below in order of priority.

- 3.1** Establish relationships with other regulatory agencies, professional associations and advocacy organizations to educate consumers about the Professional Fiduciary Bureau.
- 3.2** Identify and use media opportunities to increase Bureau visibility and its activities.
- 3.3** Establish an electronic subscriber list for the e-newsletter and increase circulation by 30%.
- 3.4** Gather and disseminate stakeholder article submissions through the e-newsletter.
- 3.5** Identify other professional license types held by licensees to target Professional Fiduciary education and outreach efforts in these disciplines.

GOAL 4: PROFESSIONAL EDUCATION

Consumer protection is enhanced through initial and continuing education requirements for licensees.

The objectives to meet this goal are listed below in order of priority.

4.1 Standardize pre-licensing requisites for approved Professional Fiduciary educational programs.

4.2 Standardize continuing education requisites for approved Professional Fiduciary continuing education vendors.

4.3 Explore the legality and feasibility of providing self-study continuing education units through the Bureau's e-newsletter.

DRAFT

GOAL 5: REGULATION AND LEGISLATION

Protect consumers by enhancing regulation and legislation to meet evolving industry challenges.

The objectives to meet this goal are listed below in order of priority.

- 5.1** Establish regulations to require a licensee's Professional Fiduciary license number on advertisements.
- 5.2** Establish regulations for record retention and/or disclosure requirements.
- 5.3** If creation of an Entry Level license type is feasible, pursue legislative and regulatory changes and implement.
- 5.4** If creation of Specialty and/or Certification license types is feasible, pursue legislative and regulatory changes and implement.
- 5.5** Assess feasibility (and modify if appropriate) CCR 4446 to remove the list of approved education providers.
- 5.6** Establish legislation requiring licensees to disclose professional liability insurance.
- 5.7** Establish legislation to expand Professional Fiduciary licensure to include estate/probate administration, personal representatives and special administrators in parity with Business & Professions Code 6501(f)(2).

GOAL 6: ADMINISTRATION

Efficiently use resources and personnel to meet Bureau goals and objectives.

The objectives to meet this goal are listed below in order of priority.

6.1 Continue to monitor staffing levels to achieve Bureau's mandated goals and objectives in the areas of licensing, enforcement, and education.

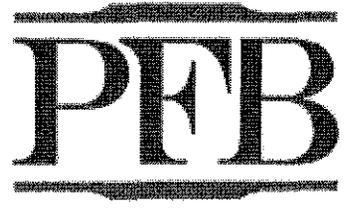
6.2 Finalize internal Bureau policy and procedures manual.

6.3 Work to ensure successful implementation of the BreZE system.

6.4 Create an assessment tool for staff in the Complaint Resolution Program to assist in triaging Bureau complaints to better protect the public and to reduce enforcement cycle times.

DRAFT

DEPARTMENT OF CONSUMER AFFAIRS



PROFESSIONAL FIDUCIARIES BUREAU



Professional Fiduciaries Bureau of California





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MEMORANDUM

DATE	November 19, 2013
TO	Advisory Committee Members Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #7 – Updates from the Director's Office

Public Comment:



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MEMORANDUM

DATE	November 19, 2013
TO	Advisory Committee Members Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #8 – Education Subcommittee Report – Barbara de Vries, Subcommittee Chair

- Status on Subcommittee

- University of California Riverside Presentation Attachment #5

- Subcommittee Future Meeting Dates

Public Comment:

Attachment #5



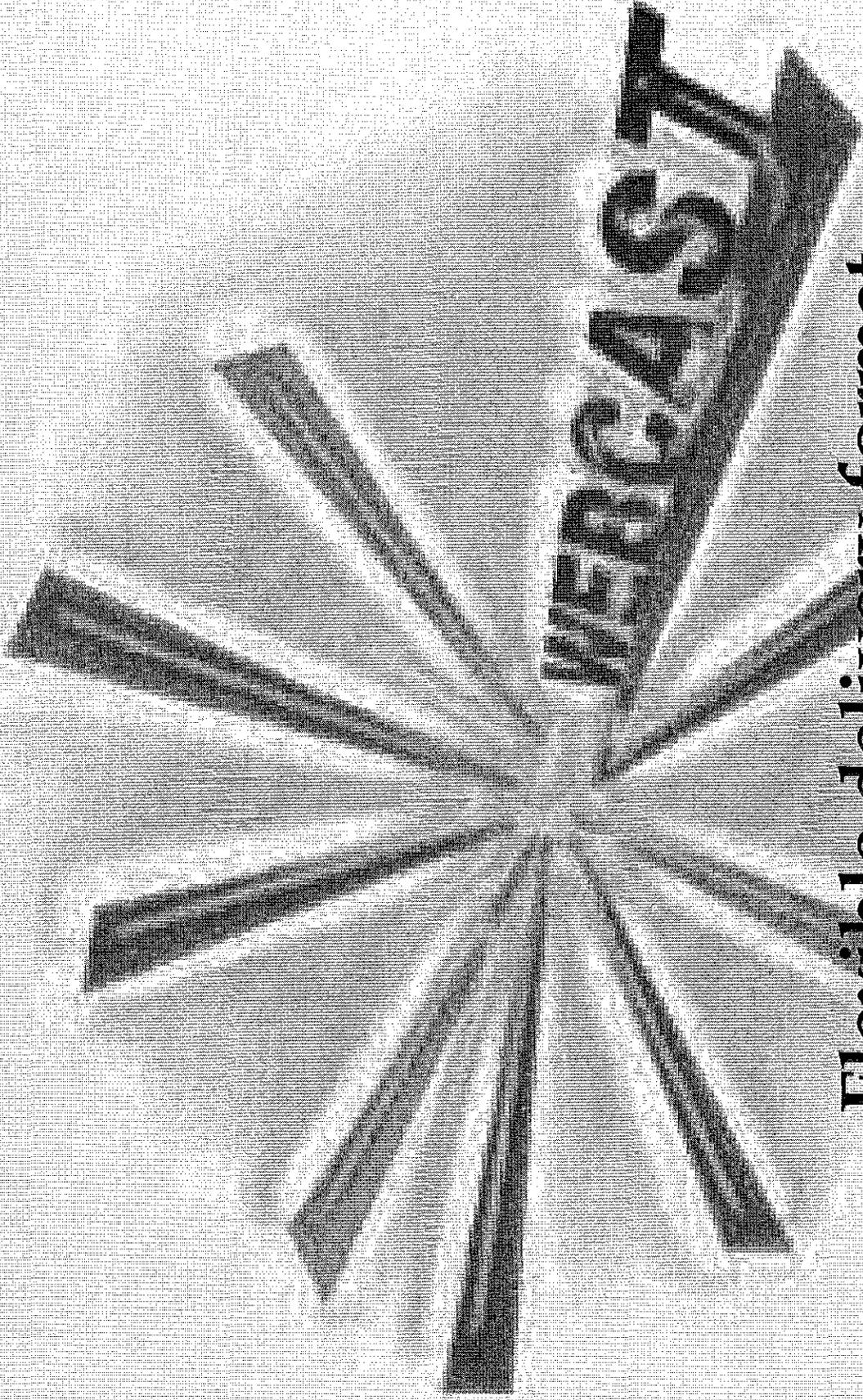
**UC RIVERSIDE EXTENSION
PROFESSIONAL FIDUCIARY
CERTIFICATE PROGRAM**

JCR | EXTENSION

Requires 14 units
7 individual courses
Total: \$2500

www.extension.ucr.edu

UCR | EXTENSION



Flexible delivery format

Face to Face, Online and live Web Cast

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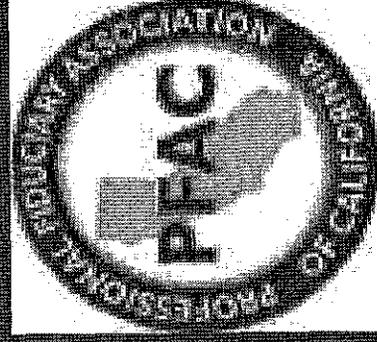
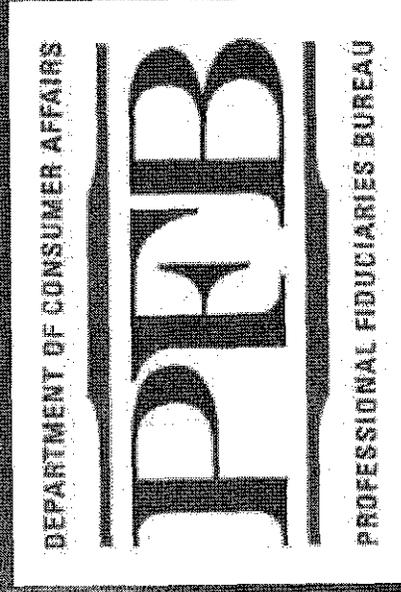
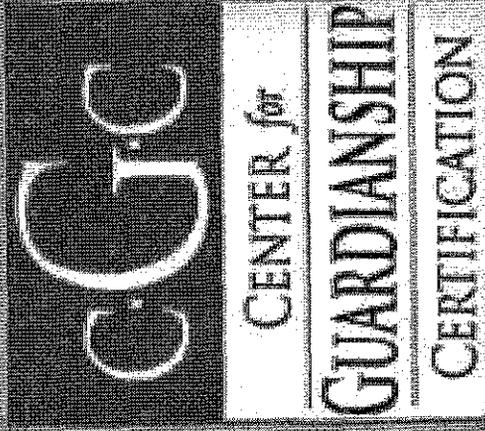
Graduates: 23
In Progress: 116
Plan to complete Certificate: 58%

UCR | EXTENSION

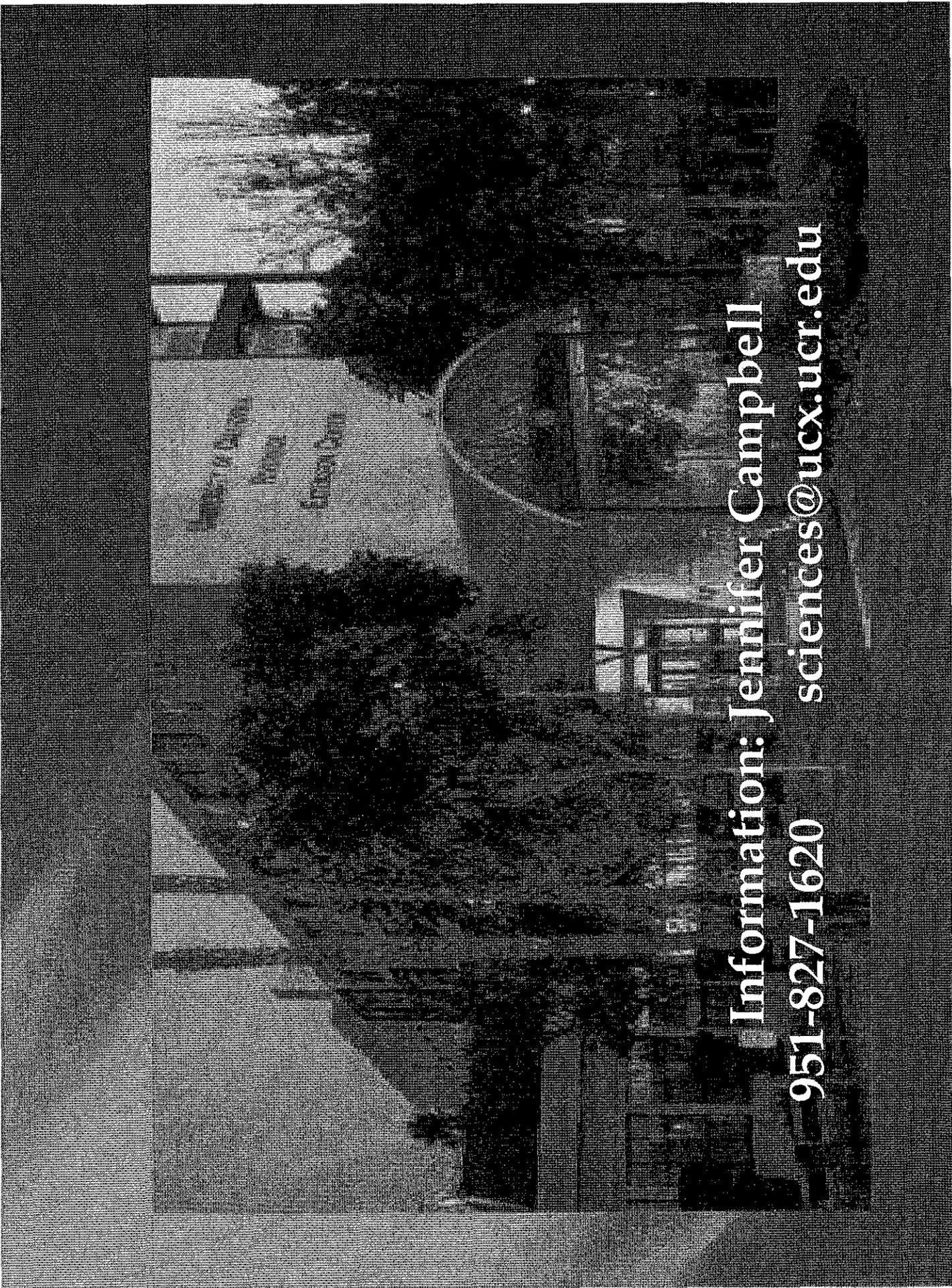


Accounting, business/consulting start-up and certification exam prep are the trending topics for up and coming Professional Fiduciaries

UCR|EXTENSION



Students and new professionals are looking for guidance from lead organizations



Information: Jenhifer Campbell
951-827-1620 **sciences@ucx.ucr.edu**



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MEMORANDUM

DATE	November 19, 2013
TO	Advisory Committee Members Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #9 – Ethics Subcommittee Report – Aileen Federizo, Subcommittee Chair

- Status on Subcommittee
- Subcommittee Future Meeting Dates

Public Comment:



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MEMORANDUM

DATE	November 19, 2013
TO	Advisory Committee Members Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #10 – Bureau Updates – Julia Ansel, Bureau Chief

- Status of the Bureau

- FY To Date Statistics

- E-Newsletter

- Regulations

- Committee Member Status

- Discussion on Committee Members Speaking at Outreach Events and Possible Venues

Public Comment:



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MEMORANDUM

DATE	November 19, 2013
TO	Advisory Committee Members Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #11 – Bureau Budget Report – Robert de los Reyes, DCA Budget Analyst

Attachment #6

Public Comment:

Attachment #6

3108 - Professional Fiduciaries Bureau

Analysis of Fund Condition

Prepared 11/13/2013

(Dollars in Thousands)

Fiscal Month 13	Budget		
	Actuals 2012-13	Act CY 2013-14	BY 2014-15
BEGINNING BALANCE	\$ 237	\$ 348	\$ 484
Prior Year Adjustment	\$ -3	\$ -	\$ -
Adjusted Beginning Balance	\$ 234	\$ 348	\$ 484
REVENUES AND TRANSFERS			
Revenues:			
125600 Other regulatory fees	\$ 7	\$ 14	\$ 28
125700 Other regulatory licenses and permits	\$ 116	\$ 140	\$ 140
125800 Renewal fees	\$ 353	\$ 420	\$ 420
125900 Delinquent fees	\$ 2	\$ 3	\$ 3
141200 Sales of documents	\$ -	\$ -	\$ -
142500 Miscellaneous services to the public	\$ -	\$ -	\$ -
150300 Income from surplus money investments	\$ 1	\$ 1	\$ 2
150500 Interest from Interfund loan	\$ -	\$ -	\$ -
160400 Sale of fixed assets	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ -	\$ -	\$ -
161400 Miscellaneous revenues	\$ -	\$ -	\$ -
Totals, Revenues	\$ 479	\$ 578	\$ 593
Transfers from Other Funds	\$ -		
Transfers to Other Funds	\$ -		
Totals, Revenues and Transfers	\$ 479	\$ 578	\$ 593
Totals, Resources	\$ 713	\$ 926	\$ 1,077
EXPENDITURES			
Disbursements:			
0840 State Controller (State Operations)	\$ 1	\$ -	\$ -
1111 Program Expenditures (State Operations)	\$ 362	\$ 440	\$ 449
8880 Financial Information System for California (State Operations)	\$ 2	\$ 2	\$ -
Total Disbursements	\$ 365	\$ 442	\$ 449
FUND BALANCE			
Reserve for economic uncertainties	\$ 348	\$ 484	\$ 628
Months in Reserve	9.4	12.9	16.5

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY+1 AND ONGOING
- B. EXPENDITURE GROWTH PROJECTED AT 2%
- C. ASSUMES 0.3% GROWTH IN INCOME FROM SURPLUS MONEY



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MEMORANDUM

DATE	November 19, 2013
TO	Advisory Committee Members Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #12 – Legislative Update – Scott Allen, DCA Legislative Analyst

Attachment #7

Public Comment:

Attachment #7

AB 381 (Chau, Chapter 99, Statutes of 2013) Estates and trusts: undue influence and elder abuse.

This bill extends double-damage provisions to an attorney-in-fact who misappropriates property through undue influence, in bad faith, or through acts of financial elder abuse, and specifically allows a court to award attorney's fees and costs in addition to double damages.

Sponsor: Conference of California Bar Associations

AB 937 (Wieckowski, Chapter 127, Statutes of 2013) Conservators and guardians: personal rights of conservatees.

This bill provides that a conservator's control of a conservatee shall not extend to personal rights retained by the conservatee, such as the right to receive visitors, telephone calls, and personal mail, unless limited by court order.

AB 1029 (Maienschein, Chapter 105, Statutes of 2013) Trusts and estates: allocations of receipts.

This bill clarifies how the partial liquidation exception is to be determined and the information on which the trustee may rely regarding that determination. This bill would also provide immunity from liability for a trustee who makes an improper allocation in reliance on the proposed methods to determine whether or not the money received by an entity is a partial liquidation.

Sponsor: Trusts and Estates Section of the State Bar of California

AB 1339 (Maienschein, Chapter 248, Statutes of 2013) Professional fiduciaries: guardians and conservators.

This bill requires a court-appointed conservator, or proposed conservator, who is also professional fiduciary, to disclose their total fees or compensation at the time a petition to appoint a conservator is filed. This bill would also allow for periodic payments from the estate to the conservator but only after a fee schedule or statement of compensation has been properly filed.

Sponsor: Professional Fiduciaries Association of California

SB 156 (Beall) Conservatorships and guardianships: attorney's fees.

This bill limits a guardian or conservator from collecting fees from a ward's or conservatee's estate for any costs or fees that the guardian or conservator incurred in defending the guardian or conservator's compensation petition unless specified conditions are met.

Sponsor: California Senior Legislature

This bill was vetoed.



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MEMORANDUM

DATE	November 19, 2013
TO	Advisory Committee Members Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #13 – Future Agenda Items

Future Agenda Items:

Public Comment:



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MEMORANDUM

DATE	November 19, 2013
TO	Advisory Committee Members Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #14 – Future Meeting Dates

- Advisory Committee Future Meeting Dates

Suggested Dates:

Tuesday, February 4, 2014
 Tuesday, May 6, 2014
 Wednesday, August 27, 2014
 Tuesday, November 18, 2014

- Education Subcommittee Future Meeting Dates
- Ethics Subcommittee Future Meeting Dates

Public Comment:



Professional Fiduciaries Bureau
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Website: www.fiduciary.ca.gov



MEMORANDUM

DATE	November 19, 2013
TO	Advisory Committee Members Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #15 – Public Comment on Items Not on the Agenda

Public Comment:



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MEMORANDUM

DATE	November 19, 2013
TO	Advisory Committee Members Professional Fiduciaries Bureau
FROM	Professional Fiduciaries Bureau
SUBJECT	Agenda Item #16 - Adjournment

Time of Adjournment: