

**BEFORE THE DIRECTOR
DEPARTMENT OF CONSUMER AFFAIRS
PROFESSIONAL FIDUCIARIES BUREAU
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues Against:

CHRISTINE RUTH GOODING

Professional Fiduciary License Applicant

Case No.: PF 2024-145

OAH No. 2025110224

Respondent.

DECISION AND ORDER

The attached Proposed Decision of the Administrative Law Judge is hereby accepted and adopted by the Director of the Department of Consumer Affairs as the Decision in the above-entitled matter.

This Decision shall become effective on July 23, 2026.

It is so ORDERED June 22, 2026.

SIGNATURE ON FILE

Grace Arupo Rodriguez
Assistant Deputy Director
Legal Affairs Division
Department of Consumer Affairs

**BEFORE THE
PROFESSIONAL FIDUCIARIES BUREAU
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Statement of Issues Against:

CHRISTINE RUTH GOODING, Respondent.

Agency Case No. PF 2024-145

OAH No. 2025110224

PROPOSED DECISION

Administrative Law Judge Holly M. Baldwin, State of California, Office of Administrative Hearings, heard this matter on March 26, 2026, by videoconference.

Deputy Attorney General Justin R. Surber represented complainant Sarah Fletcher, Program Manager, Professional Fiduciaries Bureau, Department of Consumer Affairs.

Respondent Christine Ruth Gooding represented herself.

The matter was submitted for decision on March 26, 2026.

On March 27, 2026, the undersigned issued an order reopening the record and requesting that the parties provide supplemental briefing on a question of statutory and regulatory interpretation. The parties timely submitted post-hearing briefs. Complainant's brief was marked for identification as Exhibit 9, respondent's brief was

marked for identification as Exhibit A, and complainant's reply brief was marked for identification as Exhibit 10.

The record closed and the matter was resubmitted on April 30, 2026.

FACTUAL FINDINGS

1. In February 2025, respondent Christine Ruth Gooding submitted a professional fiduciary license application to the Professional Fiduciaries Bureau (Bureau). The Bureau denied respondent's application on May 21, 2025, due to a criminal conviction. Respondent appealed this denial.

2. On August 5, 2025, complainant Cynthia Antar signed a statement of issues in her official capacity as Program Manager of the Bureau, seeking to deny respondent's license application. At hearing, complainant's counsel stated that the current complainant is Sarah Fletcher, Program Manager of the Bureau. Complainant contends that respondent's application for a professional fiduciary license must be denied due to her 2024 criminal conviction. Respondent filed a notice of defense, and this proceeding followed.

DUI Conviction

3. On May 20, 2024, in the Superior Court of California, County of Sonoma, respondent was convicted, on a plea of no contest, of driving with a blood alcohol concentration (BAC) of 0.08 percent or higher, in violation of Vehicle Code section 23152, subdivision (b), a misdemeanor. Respondent's plea included admitting that she had a BAC of 0.20 percent or higher (Veh. Code, § 23538, subd. (b)(2)). Respondent was placed on probation for 36 months, and was ordered to serve 10 days in jail or on

work release, complete a nine-month first-offender drinking driver program, install an ignition interlock device on her vehicle for six months, pay \$150 in restitution, and pay court fines and fees. Respondent remains on court probation until May 2027.

4. The offense occurred on December 29, 2023. At about 10:30 a.m., a California Highway Patrol officer was dispatched to a reported hit-and-run collision in the town of Kenwood. The officer arrived at the location and observed that a set of three mailboxes had been knocked down (the mailboxes were affixed to a horizontal board that had been held up by two wooden posts). A female witness told the officer she had seen a driver crash into the mailboxes at a very slow speed. When the witness came out of her residence to speak with the driver, she observed the driver's speech was slurred. The driver asked the witness not to call 911, and drove away. The witness took photographs of the driver's vehicle. The officer ran a search for the license plate of the vehicle and learned that it was registered to respondent, who lived nearby.

The officer went to respondent's residence shortly after 11:30 a.m., and found respondent sitting in her vehicle in the carport of her residence. Respondent smelled strongly of alcohol, had very slow and slurred speech, and had difficulty standing when she exited the vehicle. The officer observed a mostly empty bottle of vodka in the vehicle, and minor damage to the vehicle's front bumper consistent with hitting an upright wooden post. Respondent told the officer she had been drinking vodka in her vehicle since about 8:00 a.m. She failed field sobriety tests. Respondent provided breath samples that registered a BAC of 0.28 percent and 0.27 percent. The officer also spoke to respondent's husband, who said that respondent was in an outpatient rehabilitation program and had been drinking and driving "frequently." Respondent was arrested and charged with driving under the influence of alcohol (DUI).

Respondent's Evidence

5. Respondent testified credibly at hearing and provided two written statements and several documents to the Bureau. She did not call other witnesses.

6. In mid-2023, respondent was going through a very difficult time in her marriage, and her alcohol use increased to a point where she recognized she had a problem with alcohol. In late October 2023, respondent voluntarily enrolled in an outpatient rehabilitation program with Center Point Drug Abuse Alternatives Center (DAAC) and was sober for an unspecified period of time.

7. On the day of her DUI offense, respondent had what she described as a "brutal" exchange with her husband, drove to a local store, drank in her car, and then drove home. She admits that she was quite intoxicated. Respondent disputes that she "frequently" drank and drove, but admitted she had been doing so during that time.

8. Respondent testified that she has been sober since December 30, 2023 (the day after her DUI arrest), more than two years. Her previous attempts to quit drinking had not been successful for such a sustained period. She moved out of her former family home in March 2024 and stayed sober throughout the finalization of her divorce and the criminal court proceedings.

9. Respondent remains on court probation until May 2027, but testified that she has completed all the court-imposed requirements of probation. She stated that she got her driver's license back on April 28, 2025. Respondent provided a timesheet confirming that she performed 43 hours of court-ordered community service at Sonoma Ashram in July and August 2024. She did not provide documents about the court-ordered nine-month drinking driver class, but testified that she completed it.

10. Respondent provided a letter and certificate confirming that she completed the DAAC outpatient treatment program on May 13, 2024, which included six group sessions per week during the intensive outpatient program component and two group sessions per week during the rest of the outpatient program. Respondent described the program as including lectures, education, and support groups.

11. Respondent stated that she began attending Alcoholics Anonymous (AA) in April 2023. She continues to attend AA meetings three times a week.

12. Respondent also engages in meditation at her local ashram.

13. Respondent submitted two reference letters with her appeal request.

(a) Aldo Borin is a retired attorney who has known respondent for over two years, seeing her three times weekly at AA meetings held by Zoom videoconference. Borin confirmed that respondent has been actively involved with AA and working with her sponsor, and wrote that her progress has been an inspiration to newer members.

(b) Shirley Braddy also attends AA meetings with respondent. She wrote that respondent has taken an active role in meetings and made positive changes in her life. Braddy described respondent as loyal and compassionate, and able to handle challenges while remaining sober.

14. Respondent has a bachelor's degree in Spanish from the University of California, Berkeley. She has completed coursework required to become a professional fiduciary. Respondent believes that her Spanish language skills enhance her ability to provide culturally competent fiduciary services to underserved populations.

15. Respondent testified that she is employed by Lori Beth Merrill of Paladin Fiduciary Services, who is president of the Northern California chapter of the

Professional Fiduciary Association of California. According to respondent, Merrill is aware of her DUI conviction and supports her application for licensure. Respondent did not provide a letter from Merrill.

16. Respondent stated that she could earn more money if she received a professional fiduciary license. She has an adult son who relies on her for support.

17. Respondent contends that her DUI conviction is not substantially related to the duties of a professional fiduciary. Her offense was not work-related, and she contends it does not impact her current or future ability to safely work as a professional fiduciary.

18. Respondent contends that she has been rehabilitated. She argues that her experience of substance abuse and recovery enhances her empathy and ability to provide compassionate client services.

LEGAL CONCLUSIONS

1. In a proceeding involving the issuance of a license or certificate, the burden of proof is on the applicant to show, by a preponderance of the evidence, that she is qualified to hold the license she seeks. (Evid. Code, §§ 115, 500.)

2. Complainant contends that respondent's application is subject to denial under Business and Professions Code sections 480 and/or 6536, because respondent has been convicted of a crime that is substantially related to the qualifications, functions, or duties of a professional fiduciary.

Business and Professions Code section 480 is generally applicable to licensing agencies within the Department of Consumer Affairs. It provides that, notwithstanding

any other provision of the Code, the agency “may deny” a license if the applicant has been convicted of a crime within the preceding seven years that is substantially related to the qualifications, functions, or duties of the licensed profession. (*Id.*, subd. (a)(1).) Subdivision (b) also provides that notwithstanding any other provision of the Code, a person shall not be denied a license on the basis of a conviction, if the person has made a showing of rehabilitation under Business and Professions Code section 482 (which requires agencies to develop criteria to evaluate rehabilitation when considering license denial or discipline).

Business and Professions Code section 6536 specifically governs applications for professional fiduciary licenses. It provides that the Bureau “shall approve” applications that meet the requirements for licensure, but the Bureau “shall not issue a license” to an applicant who has been convicted of a crime substantially related to the qualifications, functions, or duties of a professional fiduciary. (*Id.*, § 6536, subd. (b).)

The Bureau has promulgated a regulation with criteria to be evaluated when considering denial of a fiduciary license under Business and Professions Code section 480 or section 6536, subdivision (b), on the ground that the applicant has been convicted of a substantially related crime. (Cal. Code Regs., tit. 16, § 4522.) This regulation states that the Bureau shall consider whether the applicant has made a showing of rehabilitation, and lists criteria to be considered. These criteria include whether the applicant has completed the criminal sentence without a violation of parole or probation, the nature and gravity of the offense, evidence of any subsequent misconduct, time elapsed since the offense, and rehabilitation evidence submitted by the applicant. (*Ibid.*)

The Bureau also has promulgated a regulation with criteria for determining whether a crime or misconduct is considered “substantially related” for purposes of

denying a professional fiduciary license. (Cal. Code Regs., tit. 16, § 4520.)

Subdivision (a) of the regulation generally provides that a crime is substantially related if to a substantial degree it evidences present or potential unfitness to perform the functions authorized by the license in a manner consistent with the public health, safety, or welfare. Subdivision (b) sets forth criteria to be considered in making a determination about substantial relationship: nature and gravity of the offense, time elapsed since the offense, and nature and duties of a professional fiduciary.

Subdivision (c) lists specific crimes or acts that are considered substantially related, including: "Conviction for driving under the influence of drugs or alcohol." (*Id.*, subd. (c)(6).)

3. Respondent contends that her DUI conviction is not substantially related to the qualifications, functions, or duties of a professional fiduciary, because it did not occur in the course of work and did not involve dishonesty, financial misconduct, or moral turpitude. This argument is not persuasive. Respondent was convicted of a DUI offense (Factual Finding 3), a crime which the relevant regulation specifically finds to be substantially related (Cal. Code Regs., tit. 16, § 4520, subd. (c)(6)). This substantially related conviction constitutes cause for denial under both Business and Professions Code section 480, subd. (a)(1), and section 6536.

4. The remaining question is whether, having found cause for denial due to a substantially related conviction, such a denial must be imposed, including whether the Bureau has discretion to issue respondent a license. As set forth in Legal Conclusion 2, under Business and Professions Code section 480 the Bureau "may deny" a license due to such a conviction, and under Business and Professions Code section 6536, the Bureau "shall not issue a license" to an applicant with such a conviction.

At hearing, the parties presented arguments as to whether respondent's conviction is substantially related, and whether issuing a license to respondent is prohibited by statute. Complainant's counsel argued that the language of Business and Professions Code section 6536 creates a complete prohibition against issuing a license to an applicant who has been convicted of a substantially related crime. Counsel discussed the Bureau's regulatory criteria for substantial relationship. However, neither party addressed the Bureau's regulation setting forth rehabilitation criteria. In the post-hearing briefing, the parties were requested to address the question of how the Bureau's regulation about rehabilitation criteria (Cal. Code Regs., tit. 16, § 4522) is to be considered in relation to Business and Professions Code section 6536.

5. Complainant contends that Business and Professions Code section 6536 provides a clear and unambiguous prohibition against issuing a professional fiduciary license to respondent, because she has been convicted of a substantially related crime. Complainant also notes, however, that Business and Professions Code section 480, subdivision (b), prohibits denying a license to an applicant who has shown rehabilitation. Appellate courts have held that the general provision in section 480, subdivision (b), prevails over the sections of the Business and Professions Code that prescribe licensing requirements for particular professional licenses. (*Singh v. Davi*, (2012) 211 Cal.App.4th 141, 148; *Pieri v. Fox* (1979) 96 Cal.App.3d 802, 808-809.) Thus, complainant contends that, unless respondent proves that she has been rehabilitated under Business and Professions Code section 482 and California Code of Regulations, title 16, section 4522, her application must be denied outright under Business and Professions Code section 6536.

Complainant argues that respondent has not shown that she is rehabilitated, given that she is still on criminal probation, and given the seriousness and recency of the offense.

6. Respondent contends that under Business and Professions Code section 480, subdivision (a)(1)(B), denial authority is limited to felony financial crimes. That is a misreading of the statute. Subdivision (a)(1)(B) creates an exception to the seven-year limit imposed by subdivision (a)(1), and allows denial on the basis of older convictions in the case of felony financial crimes that are directly and adversely related to the fiduciary qualifications, functions, and duties of the profession. Because respondent's conviction is recent, occurring in 2024, the seven-year bar is irrelevant here.

Respondent also contends her DUI conviction is not substantially related, but as found in Legal Conclusion 3, this argument is not persuasive.

Respondent argues that she has shown rehabilitation. She points to the facts that she had voluntarily enrolled in treatment before her DUI offense, continued in treatment afterward, and has now sustained sobriety for two years. She also notes the lack of other criminal history, and that she has completed her divorce thereby removing a stressor that contributed to her relapse. Respondent argues that she may be granted a license outright, or granted a probationary license.

7. Complainant's position is persuasive. Respondent is commended for her commitment to rehabilitation and her two years of sobriety. However, the evidence establishes that her recovery is still a work in progress. Respondent remains on criminal probation for another year. Her DUI offense is relatively recent and, although a misdemeanor, was quite serious given the circumstances of the offense. Respondent has not yet shown sufficient rehabilitation to demonstrate that she has been

rehabilitated under Business and Professions Code section 482 and California Code of Regulations, title 16, section 4522. Her application thus must be denied under Business and Professions Code section 6536, because she has been convicted of a substantially related crime.

ORDER

The application of respondent Christine Ruth Gooding for a professional fiduciary license is denied.

DATE: **05/19/2026**

SIGNATURE ON FILE

HOLLY M. BALDWIN

Administrative Law Judge

Office of Administrative Hearings

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8 **BEFORE THE**
9 **PROFESSIONAL FIDUCIARIES BUREAU**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Statement of Issues
Against:

12 **CHRISTINE RUTH GOODING**

13 **Professional Fiduciary License Applicant**

14 Respondent.

Case No. PF 2024-145

15 **STATEMENT OF ISSUES**

16 **PARTIES**

17 1. Cynthia Antar (Complainant) brings this Statement of Issues solely in her official
18 capacity as a Program Manager at the Professional Fiduciaries Bureau (Bureau). She is acting by
19 and on behalf of the Director of the Department of Consumer Affairs.
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21 2. On or about March 4, 2025, the Professional Fiduciaries Bureau, Department of
22 Consumer Affairs, received an application for a Professional Fiduciary License from Christine
23 Ruth Gooding (Respondent). On or about February 24, 2025, Respondent certified under penalty
24 of perjury to the truthfulness of all statements, answers, and representations in the application.
25 The Bureau denied the application on May 21, 2025.

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1 (b) In making the determination required for the denial of a license for the
2 conviction of a crime substantially related to the qualifications, functions, or duties of
3 a professional fiduciary, all of the following criteria shall be considered:

- 4 (1) The nature and gravity of the offense;
5 (2) The number of years elapsed since the date of the offense; and
6 (3) The nature and duties of a professional fiduciary.

7 (c) For purposes of subdivision (a), substantially related crimes, professional
8 misconduct, or acts shall include, but are not limited to, the following:

9 ...

- 10 (6) Conviction for driving under the influence of drugs or alcohol.

11 ...

12 **CAUSE FOR DENIAL OF APPLICATION**

13 (Conviction)

14 7. Respondent's application is subject to denial under Code section(s) 480 and/or 6536
15 in that on or about May 20, 2024, in a criminal proceeding entitled *People v. Christine Ruth*
16 *Gooding*, in Sonoma County Superior Court Case Number 24CR00541, Respondent was
17 convicted of violating Vehicle Code section 23152, subdivision (b), driving with a blood alcohol
18 level of .08 percent or higher. On or about December 29, 2023, Respondent drove a vehicle after
19 consuming alcohol. Respondent ran over multiple mailboxes on her drive home. Respondent did
20 not stop. Respondent was arrested in her carport. Preliminary alcohol screenings showed
21 Respondent had blood alcohol level of .290 and .296 percent. Subsequent breath tests showed
22 alcohol levels of .28 and .27 percent.

23 **PRAYER**

24 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
25 and that following the hearing, the Professional Fiduciaries Bureau issue a decision:

26 1. Denying the application of Christine Ruth Gooding for a Professional Fiduciary
27 License;

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2. Taking such other and further action as deemed necessary and proper.

SIGNATURE ON FILE



DATED: 08/05/2025

Professional Fiduciaries Bureau
Department of Consumer Affairs
State of California
Complainant

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