

Code: 7440

Title: PUBLIC FIDUCIARY

SUMMARY: The Pima County Public Fiduciary is statutorily authorized in accordance with Arizona Revised Statutes (ARS), Title 14, Chapter 5, Article 6. Administers court ordered adult guardianships, conservatorships for estates of adults and minors, serves as personal representative for decedent's estates, and is also responsible for oversight, supervision and management of a multi-disciplinary staff. The Public Fiduciary is the chief legal counsel for public fiduciary matters and is responsible for identifying and implementing risk management strategies. This classification is appointed, unclassified and exempt for the Pima County Merit System Rules.

DUTIES/RESPONSIBILITIES: (Work assignments may vary depending on the department's needs and will be communicated to the applicant or incumbent by the supervisor.)

Provides oversight for all court appointed guardianship, conservatorship and probate administrations;
Pursuant to ARS 14-5651, serves as the certified fiduciary for the Office of the Pima County Public Fiduciary;

Responsible for coordination and supervision of all legal matters, including routine fiduciary appointments, litigation, settlement negotiations and oversight of legal counsel;

Provides oversight and coordination of the indigent burial program and liaisons with the Office of the Medical Examiner, Mexican Consulate, local mortuaries, funeral and cemetery providers;

Responsible for development and review of all policies and procedures governing prudent fiduciary practice as well as assessment and management of potential liability, risks and ethical dilemmas;

Liaisons with the court, various governmental entities and community based service providers, to ensure target population receives appropriate fiduciary intervention and procedural changes;

Develops departmental policies and procedures to ensure compliance with relevant statutory, fiduciary and ethical standards of practice;

Manages client/estate assets through selection, coordination and oversight of both internal and external property, financial and investment professionals;

Ensures staff prepares the required fiscal and administrative reports;

In collaboration with the County Administrator, reviews and drafts legislative proposals related to the discharge of fiduciary services;

As the legal court-ordered guardian, makes bioethical medical decisions (in collaboration with physicians), such as termination of life support;

Serves as a community leader and advocate for its client population including developmentally disabled, mentally ill and elderly Pima County residents;

May carry a personal caseload as an attorney for the Office of the Public Fiduciary.

KNOWLEDGE & SKILLS:

Knowledge of:

- applicable statutory, fiduciary, legal and ethical principles governing disability and probate practice;
- Arizona Rules of Civil Procedure, Rules of Evidence and Title 14 of the ARS;
- fiduciary banking regulations, asset management and investments;
- risk management principles;
- bioethical principles related to end of life issues;
- principles and techniques of management and supervision of staff.

Skill in:

- complex civil and probate litigation;
- identifying, evaluating and managing risk;
- dispute resolution and negotiating with diverse stakeholders, community resources, medical providers, family members, attorneys and other professionals;
- analyzing complex situations and making prudent decisions;
- communicating proficiently, orally and in writing;
- supervising professional, administrative, support and clerical personnel.

DESIRED QUALIFICATIONS:

Graduation from an accredited school of law, member in good standing with the State Bar of Arizona, and seven years of experience as a practicing attorney, which includes extensive courtroom experience and civil litigation.

OTHER REQUIREMENTS:

Licenses and Certificates: Current membership in good standing with the State Bar of Arizona. Arizona Supreme Court Fiduciary Certification is required within 120 days of appointment and must be maintained as a condition of employment; failure to maintain active State Bar of Arizona membership with good standing and Fiduciary Certification shall be grounds for termination. A valid Arizona Class D Driver's License may be required at the time of appointment.

Physical/Sensory Requirements: Physical and sensory abilities will be determined by position.

This classification specification is intended to indicate the basic nature of positions allocated to the classification and examples of typical duties that may be assigned. It does not imply that all positions within the classification perform all of the duties listed, nor does it necessarily list all possible duties that may be assigned.