**Kellie Hayes – The Role of California Private Fiduciaries**

Rotarian Jim Phillips introduced Kellie Hayes from Lucky Fiduciary Services who described her career path to becoming a fiduciary. She had handled event planning and was a Development Director for a non-profit organization. Kellie shared a story where a donor to the non-profit organization changed his mind on his deathbed and how that experience led Kathie to explore the world of a private fiduciary. In 2006, the State of California created a very regulated license for private fiduciaries and Kellie received hers in 2010.

Kellie’s presentation focused on (1) The Role of Private Fiduciaries; (2) Why Someone Would Use a Private Fiduciary; (3) How A Private Fiduciary Works; and (4) How to Find a Private Fiduciary.

The Role of Private Fiduciaries

* Trustee
* Consultant
* Guardian
* Power of Attorney (but not an attorney)
* Money Manager (bills, general care)
* Case Manager (3rd party)
* Others as defined by the client or courts

Kellie described in the past how family and the churches would handle the role of a fiduciary, but that has changed.

Why Someone Would Use a Private Fiduciary

* They don’t want to and can’t handle their legal, financial or other affairs.
* There are no family members available to handle the affairs.
* The individual needs a neutral, third-party to handle affairs.
* The individual has an opportunity to choose someone he/she trusts to handle their affairs in the present or in the future.
* The court orders a private fiduciary in some cases.

→Kellie stressed that a private fiduciary works with attorneys but is not an attorney.

How A Private Fiduciary Works

* Within California law under the Department of Consumer Affairs
* Under a Code of Ethics
* Follows the terms of the trust or other legal documents
* With the individual, family, friends, and if necessary, the courts
* With attorneys and financial advisors

How to Find a Private Fiduciary

* Through an estate planning attorney
* Through the Professional Fiduciary Association of California (PFAC) at [www.pfac-pro.org](http://www.pfac-pro.org)
* Through the State of California Department of Consumer Affairs Professional Fiduciaries Bureau at <http://www.fiduciary.ca.gov/> where the public can file a complaint and all actions taken by the Bureau are listed.