

1. REQUESTED MOTION:

ACTION REQUESTED: Request permission to advertise and conduct a public hearing on November 12, 2002, at 5:00 p.m. to consider & adopt a County Ordinance amending Lee County Ordinance Nos. 93-07 and 98-16 relating to the Lee County Public Guardianship Program.

WHY ACTION IS NECESSARY: A public hearing is necessary for the Board of County Commissioners to amend County Ordinances.

WHAT ACTION ACCOMPLISHES: Complies with changes to Florida Statutes.

2. DEPARTMENTAL CATEGORY: 12 COMMISSION DISTRICT # CW C12B	3. MEETING DATE: 10-22-2002
--	--

4. AGENDA:	5. REQUIREMENT/PURPOSE: <i>(Specify)</i>	6. REQUESTOR OF INFORMATION:
<input checked="" type="checkbox"/> CONSENT ADMINISTRATIVE APPEALS	<input type="checkbox"/> STATUTE	A. COMMISSIONER
<input type="checkbox"/> PUBLIC WALK ON	<input checked="" type="checkbox"/> ORDINANCE	B. DEPARTMENT <u>County Attorney</u>
<input type="checkbox"/> TIME REQUIRED:	<input type="checkbox"/> ADMIN. CODE	C. DIVISION <u>General Services</u>
	<input type="checkbox"/> OTHER	BY: <u>Andrea R. Fraser</u> <u>Assistant County Attorney</u>

7. BACKGROUND:
In 1993, the Board of County Commissioners adopted the Lee County Public Guardianship Program Ordinance No. 93-07, which imposed a fee for each civil action filed for the establishment, maintenance or supplementation of costs associated with public guardianship. Thereafter, the Ordinance was amended in 1998 (Lee County Ordinance No. 98-16).

With the State of Florida no longer requiring the County to contribute matching funds; changes to Florida Statutes Section 744, Part IX; and the local Public Guardianship Program requesting additional funding, Lee County Ordinance No. 98-16 should be amended to reflect these changes and issues.

Attachment: Draft Ordinance revising Lee County Ordinance Nos. 93-07 and 98-16.
Position Paper from Department of Human Services Dated October 3, 2002

8. MANAGEMENT RECOMMENDATIONS:

9. RECOMMENDED APPROVAL:

A Department Director	B Purchasing or Contracts	C Human Resources	D Other	E County Attorney	F Budget Services				G County Manager
N/A	N/A	N/A	N/A	Andrea R. Fraser	OA RK107	OM 10/9/02	RISK 10/10/02	GC 10/11/02	10-10-02

10. COMMISSION ACTION:

- APPROVED**
- DENIED**
- DEFERRED**
- OTHER**

Rec. by County
Date: 10/7/02
Time: 2:33 pm
Forwarded To: Budget
10/7/02 4:23 pm

RECEIVED BY COUNTY ADMIN. RA
10/7 4:27
COUNTY ADMIN. FORWARDED TO: DS
10/10/02 2:19

LEE COUNTY ORDINANCE NO. _____

AN ORDINANCE AMENDING LEE COUNTY ORDINANCE NOS. 93-07 AND 98-16, THE LEE COUNTY PUBLIC GUARDIANSHIP PROGRAM; AMENDING SECTION ONE SETTING FORTH THE AUTHORITY; PROVIDING FOR THE PURPOSE AND INTENT; AMENDING SECTION FOUR SETTING FORTH THE APPOINTMENT TO THE LEE COUNTY PUBLIC GUARDIAN PROGRAM; AMENDING SECTION FIVE SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF THE LEE COUNTY PUBLIC GUARDIAN; AMENDING SECTION SIX SETTING FORTH THE FUNDING OF THE LEE COUNTY PUBLIC GUARDIANSHIP PROGRAM; PROVIDING FOR THE COLLECTION AND EXPENDITURE OF FUNDS FOR THE LEE COUNTY PUBLIC GUARDIANSHIP PROGRAM; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 28.241, Florida Statutes, provides that Lee County may impose, by Ordinance, a fee for each civil action filed for the establishment, maintenance, or supplementation of costs associated with public guardianship; and,

WHEREAS, Chapter 744, Part IX, Florida Statutes, the [Public Guardianship Act](#), sets forth the Office of Public Guardian, preparation of budget, procedures and rules, reports and standards, and surety bond; and,

WHEREAS, the Board of County Commissioners of Lee County, Florida, having previously found it to be in the best interest of the citizens of Lee County, Florida, to establish a Public Guardianship Program, in accordance with Chapter 744, Part IX, Florida Statutes, and Section 28.241, Florida Statutes; and,

WHEREAS, the Board of County Commissioners of Lee County now desires to increase the service charge fee upon each civil action filed in Lee County, excluding small claim cases established in Lee County Ordinance No. 93-07, duly passed and adopted on March 3, 1993,

and thereafter amended by Lee County Ordinance No. 98-16, duly passed and adopted on August 25, 1998.

PART ONE:

The amendments and revisions of Lee County Ordinance No. 93-07 set forth in Section Six, and thereafter amended and revised by Lee County Ordinance No. 98-16, set forth in Part One, are hereby adopted. Additions are illustrated by underlined words and deletions are illustrated by ~~struck-through type~~, as follows:

Section One Authority

This Ordinance is created pursuant to the provisions of Section 28.241, Florida Statutes, wherein the County is authorized to impose by Ordinance, a fee of up to ~~\$10.00~~ \$15.00 for each civil action filed, ~~contingent upon the County matching these funds from the County=s general revenue~~, for payment of the costs associated with public guardianship. Further, this Ordinance is enacted to incorporate the provisions of Chapter 744, Part IX, Florida Statutes.

Section Two Purpose and Intent

It shall be the purpose of this Ordinance to establish a Public Guardianship Program in accordance with Chapter 744, Part IX, Florida Statutes, to fund the Office of Public Guardian for the purpose of providing guardianship services for incapacitated persons when no private guardian is available for those persons whose needs cannot be met through less drastic means of intervention, and to create a Lee County ~~Assistant~~ Public Guardian.

Section Three Lee County Public Guardianship Program

There is hereby created the Lee County Public Guardianship program. Lee County authorizes the Twentieth Judicial Circuit and its administration to supervise and oversee the program. ~~under the authority and supervision of the Twentieth~~

Judicial Circuit:

Section Four Appointments to the Lee County Public Guardian Program

The Chief Judge of the Twentieth Judicial Circuit shall appoint the Public Guardian and ~~an Assistant Public Guardian~~ for Lee County. ~~by Administrative Order.~~ The Assistant Public Guardian may be an individual, a non-profit organization, or any other legal entity.

Section Five Duties and Responsibilities of the Lee County Assistant Public Guardian

The duties and responsibilities of the Lee County Assistant Public Guardian shall include, but shall not be limited to:

- 1) Identifying the recipients of the services for public guardianship,
- 2) Reviewing eligibility of recipients and determining if the recipients are eligible for the Public Guardianship Program,
- 3) Procuring and providing necessary guardianship services and legal services,
- 4) Preparing and administering the budget for the Public Guardianship Program under supervision of the Chief Judge or his representatives,
- 5) Receiving references and referrals regarding recipients for services of the Public Guardianship Program through the Court system;
- 6) Compiling all data for the Lee County Public Guardianship Program as required by Chapter 744, Part IX, Florida Statutes, and providing all required data to the ~~Office of the~~ Statewide Public Guardianship

Office and the Chief Judge; and

All placements of service recipients under the Lee County Public Guardianship Program shall be by court order.

Section Six

Section Six, Funding for the Lee County Public Guardianship Program is hereby amended as follows.

- A. The Lee County Public Guardianship Program shall be funded by imposing a service charge fee of ~~\$3.00 \$5.00~~ of up to \$15.00 upon each civil action filed in Lee County as of March 1, 2003, excluding small claim cases. Adjustments to this fee shall be by Resolution and shall be made only after an advertised public hearing held by the Board of County Commissioners. Advertised notice of such public hearing shall be published in a newspaper of general circulation in Lee County at least fifteen (15) days prior to the public hearing date, and conform to the requirements under Section 125.66(2), Florida Statutes. The Board of County Commissioners each fiscal year ~~shall~~ may budget ~~matching~~ additional funds from the county general revenue account for the Lee County Public Guardianship Program. An account to be known as the Lee County Public Guardianship Program Account@ shall be established. Said account shall be administered by the Chief Judge and shall be used to pay for public guardian-related services.
- B. The Clerk of Court of Lee County, Florida, is hereby directed to collect a service charge fee of ~~\$3.00 \$5.00~~ of \$5.00 on each civil

case filed, excluding small claim cases, in Lee County, Florida, ~~until February 28, 2003. As of March 1, 2003, the Clerk of Court of Lee County, Florida, is hereby directed to collect a service charge of up to \$15.00 on each civil case filed, excluding small claim cases.~~ beginning upon the effective date of this Ordinance pursuant to ~~Section Eight herein.~~ Said additional service charges shall be deposited in the Lee County Public Guardianship Program Account.

- C. All unexpended funds in the Lee County Public Guardianship Program Account at the end of each fiscal year shall be carried forward in the Lee County Public Guardianship Program Account to the next fiscal year and shall be expended exclusively for public guardianship-related services.

PART TWO: EFFECTS OF AMENDMENTS

The amendments hereto shall supersede the provisions as originally construed in Lee County Ordinance No. 93-07 ~~and Lee County Ordinance No. 98-16.~~

PART THREE:

- 1. Section Seven, Conflicts and Severability

In the event this Ordinance conflicts with any other Ordinance of Lee County or other applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

PART FOUR:

1. Section Eight, Effective Date

This Ordinance shall take effect upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.

The foregoing Ordinance was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____ and being put to a vote, the vote was as follows:

BOB JANES _____
DOUGLAS ST. CERNY _____
RAY JUDAH _____
ANDREW COY _____
JOHN ALBION _____

DULY PASSED AND ADOPTED this ____ day of _____, 20__.

ATTEST: CHARLIE GREEN
COMMISSIONERS
CLERK OF THE COURT

BOARD OF COUNTY
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of the County Attorney

Public Guardianship Position Paper

Lee County Human Services
October 3, 2002
Ann M. Arnall

Background:

In 1993, Lee County adopted Ordinance 93-07, which created an Office of Public Guardianship and provided funding for such based on Florida Statutes 744.701 and 28.241. The Office of Public Guardianship is under the authority and supervision of the Twentieth Judicial Circuit.

At that time, the statute allowed for a fee up to a set amount to be attached to civil actions filed to fund the Office of Public Guardianship. Such fees required a dollar for dollar match from the County that established the Ordinance.

Since that time, both Florida Statute 744.701 and 28.241 have been amended. Florida Statute 744.701 was revised to allow for the creation of a Statewide Public Guardianship Office and 28.241 was amended to no longer require the County match of fees collected.

Issue:

Determine the financing of the Office of Public Guardianship based on the current statutory requirement and increased costs to run the program.

For the past several years, Court Administration has contracted with a private attorney to serve as the public guardian. The fee structure was that the public guardian was paid \$250 for the first three months a client was served and then \$40 per month thereafter. The average annual expenditure for fiscal years 1999, 2000, and 2001 was \$92,629. This represents services provided to approximately 100 individuals/month.

The average amount of total program revenues for fiscal years 1999, 2000, and 2001 was \$110,940 (this includes fees collected and county match). The excess revenues produced a fund balance that is to be used for the purposes of the program based on the existing Ordinance.

The *draft* Ordinance provides a mechanism to increase the fee to the amount necessary to cover an increase in the projected program expenses and removes the wording that requires the County to match the revenues collected.

The Public Guardian has requested that the payment structure for services provided be modified to a flat rate of \$150 per ward per month. This change would increase the program expenses to \$180,000 - \$216,000 based on the number of wards managed (100-120). Based on research conducted by the Statewide Office of Public Guardianship, several states reported budgetary amounts ranging from \$1,020 per ward per year to \$3,846 per ward per year. The Lee County proposed cost per ward is \$1,800.

Public Guardianship Position Paper

Lee County Human Services
 October 3, 2002
 Ann M. Arnall
 Page 2

The proposed rate is comparable with what is being paid by the Twentieth Judicial Circuit in both Charlotte and Collier Counties. Dade County estimated the cost per ward per year is \$2,100 while Brevard County is anticipating their cost to be \$2,500 per ward per year.

Staff Recommendation:

Amend the Ordinance to provide for the fee to be increased to \$12 on each civil case filed excluding small claim cases effective March 1, 2003. The estimated annual amount of fees collected would be \$159,804. This action would require the County to contribute the difference between the revenues collected and the actual contractual expenses for the Public Guardian. This amount is anticipated to be \$57,000 for FY2003.

Although the County match is no longer mandated, the Public Guardian provides a valuable service to the citizens of Lee County. This arrangement would provide for a financial partnership (fees collected and county contribution) and would provide for an incremental fee increase (\$5 to \$12) rather than increasing the fee to the maximum (\$15) allowed by law.

Modify the means of remitting County funds to Court Administration for Public Guardianship services. Historically the required "match" was automatically transferred to Court Administration throughout the year. County staff would request semi-annual reports from Court Administration that detail the revenues collected and the guardianship expenses. A budget transfer to provide for the difference would be processed twice a year.

	Current year estimate	Proposed \$10 fee	Proposed \$12 fee *	Proposed \$15 (maximum)
Fees Collected	\$ 62,664	\$133,170	\$159,804	\$199,755
County Contribution	\$ 59,590	\$ 82,830	\$ 56,196	\$ 16,245
Program Expenses	\$ 92,629	\$216,000 (max)	\$216,000 (max)	\$216,000 (max)

* Recommended option. County Contribution budgeted for FY2002-2003 is \$75,000. This option does not exceed the amount budgeted.

LEE COUNTY ORDINANCE NO. _____

AN ORDINANCE AMENDING LEE COUNTY ORDINANCE NOS. 93-07 AND 98-16, THE LEE COUNTY PUBLIC GUARDIANSHIP PROGRAM; AMENDING SECTION ONE SETTING FORTH THE AUTHORITY; PROVIDING FOR THE PURPOSE AND INTENT; AMENDING SECTION FOUR SETTING FORTH THE APPOINTMENT TO THE LEE COUNTY PUBLIC GUARDIAN PROGRAM; AMENDING SECTION FIVE SETTING FORTH THE DUTIES AND RESPONSIBILITIES OF THE LEE COUNTY PUBLIC GUARDIAN; AMENDING SECTION SIX SETTING FORTH THE FUNDING OF THE LEE COUNTY PUBLIC GUARDIANSHIP PROGRAM; PROVIDING FOR THE COLLECTION AND EXPENDITURE OF FUNDS FOR THE LEE COUNTY PUBLIC GUARDIANSHIP PROGRAM; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 28.241, Florida Statutes, provides that Lee County may impose, by Ordinance, a fee for each civil action filed for the establishment, maintenance, or supplementation of costs associated with public guardianship; and,

WHEREAS, Chapter 744, Part IX, Florida Statutes, the "Public Guardianship Act", sets forth the Office of Public Guardian, preparation of budget, procedures and rules, reports and standards, and surety bond; and,

WHEREAS, the Board of County Commissioners of Lee County, Florida, having previously found it to be in the best interest of the citizens of Lee County, Florida, to establish a Public Guardianship Program, in accordance with Chapter 744, Part IX, Florida Statutes, and Section 28.241, Florida Statutes; and,

WHEREAS, the Board of County Commissioners of Lee County now desires to increase the service charge fee upon each civil action filed in Lee County, excluding small claim cases established in Lee County Ordinance No. 93-07, duly passed and adopted on March 3, 1993, and thereafter amended by Lee County Ordinance No. 98-16, duly passed and adopted on August 25, 1998.

PART ONE:

The amendments and revisions of Lee County Ordinance No. 93-07 set forth in Section Six, and thereafter amended and revised by Lee County Ordinance No. 98-16, set forth in Part One, are hereby adopted. Additions are illustrated by underlined words and deletions are illustrated by ~~struck-through type~~, as follows:

Section One Authority

This Ordinance is created pursuant to the provisions of Section 28.241, Florida Statutes, wherein the County is authorized to impose by Ordinance, a fee of up to ~~\$10.00~~ \$15.00 for each civil action filed, ~~contingent upon the County matching these funds from the County's general revenue~~, for payment of the costs associated with public guardianship. Further, this Ordinance is enacted to incorporate the provisions of Chapter 744, Part IX, Florida Statutes.

Section Two Purpose and Intent

It shall be the purpose of this Ordinance to establish a Public Guardianship Program in accordance with Chapter 744, Part IX, Florida Statutes, to fund the Office of Public Guardian for the purpose of providing guardianship services for incapacitated persons when no private guardian is available for those persons whose needs cannot be met through less drastic means of intervention, and to

create a Lee County ~~Assistant~~ Public Guardian.

Section Three Lee County Public Guardianship Program

There is hereby created the Lee County Public Guardianship program. ~~under the authority and supervision of the Twentieth Judicial Circuit.~~ Lee County authorizes the Twentieth Judicial Circuit and its administration to supervise and oversee the program.

Section Four Appointments to the Lee County Public Guardian Program

The Chief Judge of the Twentieth Judicial Circuit shall appoint the Public Guardian ~~and an Assistant Public Guardian~~ for Lee County. ~~by Administrative Order.~~ The ~~Assistant~~ Public Guardian may be an individual, a non-profit organization, or any other legal entity.

Section Five Duties and Responsibilities of the Lee County ~~Assistant~~ Public Guardian

The duties and responsibilities of the Lee County ~~Assistant~~ Public Guardian shall include, but shall not be limited to:

- 1) Identifying the recipients of the services for public guardianship,
- 2) Reviewing eligibility of recipients and determining if the recipients are eligible for the Public Guardianship Program,
- 3) Procuring and providing necessary guardianship services and legal services,
- 4) Preparing and administering the budget for the Public Guardianship Program under supervision of the Chief Judge or his representatives,
- 5) Receiving references and referrals regarding recipients for services

of the Public Guardianship Program through the Court system;

- 6) Compiling all data for the Lee County Public Guardianship Program as required by Chapter 744, Part IX, Florida Statutes, and providing all required data to the ~~Office of the~~ Statewide Public Guardianship Office and the Chief Judge; and

All placements of service recipients under the Lee County Public Guardianship Program shall be by court order.

Section Six

Section Six, Funding for the Lee County Public Guardianship Program is hereby amended as follows.

- A. The Lee County Public Guardianship Program shall be funded by imposing a service charge fee of ~~\$3.00~~ ~~\$5.00~~ of up to \$15.00 upon each civil action filed in Lee County as of March 1, 2003, excluding small claim cases. Adjustments to this fee shall be by Resolution and shall be made only after an advertised public hearing held by the Board of County Commissioners. Advertised notice of such public hearing shall be published in a newspaper of general circulation in Lee County at least fifteen (15) days prior to the public hearing date, and conform to the requirements under Section 125.66(2), Florida Statutes. The Board of County Commissioners each fiscal year ~~shall~~ may budget ~~matching~~ additional funds from the county general revenue account for the Lee County Public Guardianship Program. An account to be known as the "Lee County Public Guardianship

Program Account" shall be established. Said account shall be administered by the Chief Judge and shall be used to pay for public guardian-related services.

- B. The Clerk of Court of Lee County, Florida, is hereby directed to collect a service charge fee of ~~\$3.00~~ ~~\$5.00~~ of \$5.00 on each civil case filed, excluding small claim cases, in Lee County, Florida, until February 28, 2003. As of March 1, 2003, the Clerk of Court of Lee County, Florida, is hereby directed to collect a service charge of up to \$15.00 on each civil case filed, excluding small claim cases. ~~beginning upon the effective date of this Ordinance pursuant to Section Eight herein.~~ Said additional service charges shall be deposited in the Lee County Public Guardianship Program Account.
- C. All unexpended funds in the Lee County Public Guardianship Program Account at the end of each fiscal year shall be carried forward in the Lee County Public Guardianship Program Account to the next fiscal year and shall be expended exclusively for public guardianship-related services.

PART TWO: EFFECTS OF AMENDMENTS

The amendments hereto shall supersede the provisions as originally construed in Lee County Ordinance No. 93-07 and Lee County Ordinance No. 98-16.

PART THREE:

1. Section Seven, Conflicts and Severability

In the event this Ordinance conflicts with any other Ordinance of Lee County or other applicable law, the more restrictive shall apply. If any phrase or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion.

PART FOUR:

1. Section Eight, Effective Date

This Ordinance shall take effect upon receipt of notice from the Secretary of State that this Ordinance has been filed with the Secretary of State.

The foregoing Ordinance was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____ and being put to a vote, the vote was as follows:

BOB JANES _____
DOUGLAS ST. CERNY _____
RAY JUDAH _____
ANDREW COY _____
JOHN ALBION _____

DULY PASSED AND ADOPTED this ____ day of _____, 20__.

ATTEST: CHARLIE GREEN
CLERK OF THE COURT

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

By: _____
Deputy Clerk

By: _____
Chairman

APPROVED AS TO FORM:

By: _____
Office of the County Attorney

Public Guardianship Position Paper

Lee County Human Services
October 3, 2002
Ann M. Arnall

Background:

In 1993, Lee County adopted Ordinance 93-07, which created an Office of Public Guardianship and provided funding for such based on Florida Statutes 744.701 and 28.241. The Office of Public Guardianship is under the authority and supervision of the Twentieth Judicial Circuit.

At that time, the statute allowed for a fee up to a set amount to be attached to civil actions filed to fund the Office of Public Guardianship. Such fees required a dollar for dollar match from the County that established the Ordinance.

Since that time, both Florida Statute 744.701 and 28.241 have been amended. Florida Statute 744.701 was revised to allow for the creation of a Statewide Public Guardianship Office and 28.241 was amended to no longer require the County match of fees collected.

Issue:

Determine the financing of the Office of Public Guardianship based on the current statutory requirement and increased costs to run the program.

For the past several years, Court Administration has contracted with a private attorney to serve as the public guardian. The fee structure was that the public guardian was paid \$250 for the first three months a client was served and then \$40 per month thereafter. The average annual expenditure for fiscal years 1999, 2000, and 2001 was \$92,629. This represents services provided to approximately 100 individuals/month.

The average amount of total program revenues for fiscal years 1999, 2000, and 2001 was \$110,940 (this includes fees collected and county match). The excess revenues produced a fund balance that is to be used for the purposes of the program based on the existing Ordinance.

The *draft* Ordinance provides a mechanism to increase the fee to the amount necessary to cover an increase in the projected program expenses and removes the wording that requires the County to match the revenues collected.

The Public Guardian has requested that the payment structure for services provided be modified to a flat rate of \$150 per ward per month. This change would increase the program expenses to \$180,000 - \$216,000 based on the number of wards managed (100-120). Based on research conducted by the Statewide Office of Public Guardianship, several states reported budgetary amounts ranging from \$1,020 per ward per year to \$3,846 per ward per year. The Lee County proposed cost per ward is \$1,800.

Public Guardianship Position Paper

Lee County Human Services
 October 3, 2002
 Ann M. Arnall
 Page 2

The proposed rate is comparable with what is being paid by the Twentieth Judicial Circuit in both Charlotte and Collier Counties. Dade County estimated the cost per ward per year is \$2,100 while Brevard County is anticipating their cost to be \$2,500 per ward per year.

Staff Recommendation:

Amend the Ordinance to provide for the fee to be increased to \$12 on each civil case filed excluding small claim cases effective March 1, 2003. The estimated annual amount of fees collected would be \$159,804. This action would require the County to contribute the difference between the revenues collected and the actual contractual expenses for the Public Guardian. This amount is anticipated to be \$57,000 for FY2003.

Although the County match is no longer mandated, the Public Guardian provides a valuable service to the citizens of Lee County. This arrangement would provide for a financial partnership (fees collected and county contribution) and would provide for an incremental fee increase (\$5 to \$12) rather than increasing the fee to the maximum (\$15) allowed by law.

Modify the means of remitting County funds to Court Administration for Public Guardianship services. Historically the required "match" was automatically transferred to Court Administration throughout the year. County staff would request semi-annual reports from Court Administration that detail the revenues collected and the guardianship expenses. A budget transfer to provide for the difference would be processed twice a year.

	Current year estimate	Proposed \$10 fee	Proposed \$12 fee *	Proposed \$15 (maximum)
Fees Collected	\$ 62,664	\$133,170	\$159,804	\$199,755
County Contribution	\$ 59,590	\$ 82,830	\$ 56,196	\$ 16,245
Program Expenses	\$ 92,629	\$216,000 (max)	\$216,000 (max)	\$216,000 (max)

* Recommended option. County Contribution budgeted for FY2002-2003 is \$75,000. This option does not exceed the amount budgeted.