

Arizona Code of Judicial Administration  
§ 3-303: Statewide Fee Guidelines and  
Competitive Bids

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2022 Review for the Arizona Judicial  
Council

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## BACKGROUND

In the *Justice for the Future: Planning for Excellence* Strategic Agenda, “protecting children, families and communities” is identified as one of the top five goals for achieving excellence and justice for Arizona’s citizens. Simply stated, “The protection of incapacitated and vulnerable individuals is an ongoing priority of the Judicial Branch.” Public members and court stakeholders involved in the justice system, particularly in probate court, rely on the standards of consistency to impart fair justice. As such, the Arizona Supreme Court adopted various rules and code sections for the efficiency of the court system while adhering to the overarching goal of public protection.

In 2011 and 2012, respectively, the Arizona Supreme Court amended the Arizona Rules of Probate Procedure, effective December 2011 (since amended), and ACJA § 3-303. Section 3-303(E) states that the “Arizona Judicial Council shall review the statewide fee guidelines, at least bi-annually, to ensure the guidelines and general compensation factors continue to reflect usual and customary billing practices and are reasonable, efficient and cost-effective to meet the requirements of A.R.S. § 14-5109.” Although judicial discretion is outlined in the code, the guidelines provide structure and offer specific direction and provide guidance on time periods for common fiduciary services associated with the care of a ward and estate management. The fee petitions, compensation and billing formats, and various restrictions, dictated by probate rules are all referenced in the code.

It should be noted that the “bi-annual” requirement in ACJA § 3-303 was deemed a technical error that was overlooked when the code was adopted. Accordingly, since inception the fee schedule has been reviewed every two years, not twice a year. The biennial reviews have been carried out on a relatively consistent basis (apart from the pandemic years). Past reviews resulted in no significant concerns being identified or recommended action. For this review cycle, the Administrative Office of the Courts’ (AOC) Court Services Division (CSD) was directed to prepare a formal report for presentation to the Arizona Judicial Council. This report serves as the requested summary of findings from the 2022 review and proposes technical corrections and other recommendations for code section revisions.



## SURVEY METHODOLOGY

Survey questionnaires were emailed out to the following interested parties, who provided anonymous responses or voluntarily shared their contact information:

- Superior Court judges who have presided over probate matters
- Licensed fiduciaries
- Members of the Arizona Fiduciary Association
- Attorneys who have provided services in probate matters subject to the fee guidelines

Additionally, as in past reviews, a small group of court accountants with experience reviewing and auditing probate fee petitions were contacted, and they provided input through telephonic meetings instead of a survey tool. Although some specific questions varied, all groups were asked about the reasonableness of compensation, common services time limitations, and any suggested code section revisions. *See Appendix A for survey questions.*

### **Judicial Officers**

Survey Population: Eighteen judicial officers completed the survey. Ten of fifteen counties were represented by at least one response. The majority of the responses received were from Maricopa County (5), followed by Pinal (3), and Pima and Yavapai (2 each). Most of the respondents have handled probate cases for fewer than 5 years, with 56 percent of judges with 1-2 years of experience.

### **Attorneys**

Survey Population: CSD Staff announced the survey through the State Bar of Arizona's e-Legal electronic newsletter. Thirteen attorneys completed the survey. Eleven of 15 counties were represented by at least one response. Most of the responses were from Maricopa (8), Pinal and Pima (4 each), and Mohave (3).

### **Non-Attorney Fiduciaries**

Survey Population: The survey was sent to more than 400 non-attorney fiduciaries. Sixty-two fiduciaries completed the survey. Thirteen of 15 counties were represented by at least one response. Maricopa County had the most responses with a total of 35, Pima had 19 responses, and Yavapai had 9.

### **Court Accountants**

A group meeting was held with court accountant staff to solicit their input in lieu of sending a survey. Four superior courts have staff assigned to conduct probate accounting reviews. Coconino, Maricopa, Pima,

and Yavapai courts designated representatives for the discussion facilitated by CSD Staff. Staff learned each county handles their review process slightly differently. Some use a formula to determine which cases meet a specific threshold or have certain factors that merit the accountant’s review. Some use historical data to identify variances. Accountants review a case for discrepancies based on filed documentation and make recommendations to judicial officers to either direct parties to make corrections or to issue an order to show cause to address noted problems. All agreed that complex filings take significantly more time to evaluate.

Accountants bring attention to any excessive fees and may recommend the court consider recouping some fees. The volume of reviews and associated staff hours differ as well. Some counties can review hundreds per month, while others have a hundred a year.

Although court accounting staff report that there are some exceptions, most submissions comply with the guidelines. It was also reported that cases with submission errors in their initial filings that conflict with the guidelines are compliant in subsequent filings after the courts provide education and guidance.

## KEY FINDINGS



### Key Findings #1

#### **Technical changes were needed.**

In 2019, the probate rules were restyled, and a few substantive changes were made to conform to modern usage. As a result of this exercise, some references to former rules in this code section are now obsolete.

Multiple rules, including Rules 10 and 30 of the Arizona Rules of Probate Procedure, were abrogated, effective 2020; therefore, those rule references needed to be updated. Global changes were also made to update references to Rule 33 subsection (F) to now read Rule 33 subsection (g); and finally, citations involving Rule 34 of the Rules of Probate Procedure. These modifications were included in the technical changes code amendment adopted in November 2022.

### Key Findings #2

#### **Data Synopsis Regarding Common Services, Billing and Code Revision Suggestions**

Various stakeholders provided input. As previously stated, one of the goals of this review was to assess whether the guidelines and compensation factors are reasonable, efficient, and cost effective. Overall, most stakeholders who responded indicated satisfaction with most of the existing language in the code section. Outside of the technical corrections to code and



rule citations, the following serves as a summary of the findings organized by areas including common services, billing procedures and code revision suggestions.

## Common Services Reasonableness

### ***Judicial Officers***

Judicial officers remained neutral for most of the responses in 5 out of 9 questions. Most judicial officers who responded indicated they “Somewhat Agree” or “Strongly Agree” to the statement that the hourly rate charged for tasks is commensurate with the task performed and clerical and secretarial activities are not billed separately. The category that garnered the most “Somewhat Disagree” or “Neutral” responses related to travel and waiting time being appropriately proportioned between clients. (See Chart 1.)

### ***Attorneys***

Most attorneys indicated agreement or provided a neutral response to the “routine” activities listed. However, a large majority indicated that they did not agree with the reasonableness of the amount of time allotted for preparing budgets and annual reports, marshalling of assets, and preparing an initial inventory delineated in the code. (See Chart 2.)

### ***Non-Attorney Fiduciaries***

Common services billing responses produced varied results. Most of the common services listed had more than 70 percent of the fiduciaries mark “Strongly Agree” or “Somewhat Agree” or “Neutral” with the appropriateness of the time periods allocated by task. The exception was the preparation of the conservator’s account and budget (limited to 5 hours), which received only 57 percent agreement. (See Chart 3.)

## Billing procedures

### ***Judicial Officers***

When asked about challenges involved from non-traditional compensation arrangements (i.e., flat fee or contingent fees), 83 percent of the judicial officers answered that they did not see challenges. In written responses, two judges reported the difficulty in determining the reasonableness of a flat rate and the difficulty in ensuring the amount of the flat fee is justified by the level of effort of the attorney.

With respect to common fiduciary services billed against estate accounts, judges remained overwhelmingly neutral, except for the items related to preparation of the account and budget and annual guardianship report set at 5 hours and 2 hours, respectively per year. Only one judge commented that typically, the account and budget exceeded 5 hours and the guardianship report taking less than 2 hours.

### ***Attorneys***

All attorneys indicated that they use hourly billing for compensation or reimbursement. The responses were almost equally split between the opposite responses of “Always/Almost Always” and “Rarely/Never” when asked how often a submission includes asking the court to “approve billing amounts different than those listed in the fee guidelines, which exceed the reasonable amounts of time.”

### ***Non-Attorney Fiduciaries***

Ninety-four percent of this group of stakeholders use hourly billing for professional services subject to ACJA § 3-303. Of note, more than half of non-attorney fiduciaries responded that they “Rarely” or “Never Sought” court approval for billings more than the normal and customary timeframes.

## Code Revision Suggestions

### ***Judicial Officers***

More than 90 percent of the judges responded that they did not believe any other common services should be added to the code. One comment suggested the addition of health care management but did not offer a specific number of hours allocated to that task.

Another suggestion was to add an amendment to clarify whether fiduciaries and attorneys may charge flat monthly fees for file maintenance or records retention and under what circumstances (if any) a fiduciary and an attorney may charge for mileage.

### ***Attorneys***

Eight specific comments were received regarding the overall impression of the code section. The common services that many attorneys recommended to be added to the code section include medical scheduling and record handling; need for more than one personal visit a month and mileage/travel time when distances exceed 2 hours one way.

Several comments expressed frustration with the court and the rules that deter attorneys from going into probate work by requiring attorneys to reduce contingency fees. One attorney stopped practicing in this area because of their impression of the arbitrary reduction of fees. Additionally, an attorney indicated their belief that the court accountant's office is severely understaffed and some petitions, submitted more than six months ago, had not been approved.

### ***Non-Attorney Fiduciaries***

Nearly half of the respondents indicated they did not have any additions to the code section. Another 46 percent provided substantive suggestions. The following is a brief list of the most cited recommendations to be added to the list of common services: 1) Clarification of clerical tasks; 2) Accompanying clients to medical appointments; 3) Assisting clients to be qualified for government services, such as ALTCS, etc.; and 4) Personal property and real estate management.

Several comments referenced that the guidelines are outdated because of factors such as inflation and did not consider complex case management. Specific feedback on billing, rounding up for billing, and whether proportionality of fees compared to estate value remains appropriate were provided as examples of issues to evaluate. Finally, increased educational credentials and specific guidelines training for fiduciaries were recommended.



## Key Findings #3

### **Further research needed**

CSD Staff consulted with AOC's Certification and Licensing Division (CLD) for input regarding their division's enforcement responsibilities of fiduciaries. In addition to the previously cited recommendation to clarify clerical fees, it was suggested that more consideration be given to differentiate time billed as professional versus service-level assistance. Another

area noted by CLD for potential review surrounds the exclusion of trusts and trustees from the list of

court-appointed fiduciaries. In some instances, fiduciaries contend they were acting in the role of a trustee (actions that would otherwise be code violations) and, therefore, the guidelines were not applicable. More specific language is recommended to provide clarity in this area. CSD staff recommends that AOC continue to evaluate the various factors involved in probate matters and conduct regular review of the guidelines.



# EXAMPLES OF RESPONSE SUMMARY DATA

Chart 1: Usual and Customary Billing of Fees-Judicial Officers

2022 Probate Fee Guideline Review Survey (Judicial Officers)

	STRONGLY DISAGREE	SOMEWHAT DISAGREE	NEUTRAL	SOMEWHAT AGREE	STRONGLY AGREE	TOTAL
Routine bookkeeping: 4 hours per month	0.00% 0	0.00% 0	63.64% 7	27.27% 3	9.09% 1	11
Routine shopping: 6 hours per month if the ward is at home, and 2 hours if the ward is in a facility	0.00% 0	9.09% 1	45.45% 5	36.36% 4	9.09% 1	11
One routine personal visit per month	0.00% 0	0.00% 0	54.55% 6	36.36% 4	9.09% 1	11
Preparation of conservator's account and budget: 5 hours per year	9.09% 1	0.00% 0	45.45% 5	36.36% 4	9.09% 1	11
Preparation of annual guardianship report: 2 hours per year	0.00% 0	27.27% 3	45.45% 5	18.18% 2	9.09% 1	11
Marshalling of assets and preparation of initial inventory: 80 hours	0.00% 0	9.09% 1	63.64% 7	18.18% 2	9.09% 1	11
Attorneys and fiduciaries only bill for their time attending hearings, depositions, and other court proceedings on behalf on a client/estate.	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0.00% 0	0

## Chart 2: Reasonableness of Fees-Attorneys

2022 Statewide Probate Fee Guidelines Review - Attorneys

	STRONGLY AGREE	SOMEWHAT AGREE	NEUTRAL	SOMEWHAT DISAGREE	STRONGLY DISAGREE	TOTAL
Routine bookkeeping, such as disbursements, bank reconciliation, etc. (4 hours per month)	7.69% 1	30.77% 4	30.77% 4	23.08% 3	7.69% 1	13
Routine shopping (6 hours per month, if ward is at home; 2 hours per month if ward is in a facility)	7.69% 1	23.08% 3	53.85% 7	15.38% 2	0.00% 0	13
One routine personal visit per month	15.38% 2	0.00% 0	53.85% 7	7.69% 1	23.08% 3	13
Preparation of conservator's account and budget (5 hours per year)	7.69% 1	7.69% 1	46.15% 6	15.38% 2	23.08% 3	13
Preparation of annual guardianship report (2 hours per year)	7.69% 1	23.08% 3	30.77% 4	15.38% 2	23.08% 3	13
Marshalling of assets and preparation of initial inventory (80 hours)	0.00% 0	7.69% 1	30.77% 4	53.85% 7	7.69% 1	13

## Chart 3: Reasonableness of Fees-Fiduciaries

2022 Probate Fee Guideline Review - Non-Attorney Fiduciaries

	STRONGLY AGREE	SOMEWHAT AGREE	NEUTRAL	SOMEWHAT DISAGREE	STRONGLY DISAGREE	TOTAL
Routine bookkeeping (4 hours per month)	19.35% 12	32.26% 20	14.52% 9	24.19% 15	9.68% 6	62
Routine shopping (6 hours per month, if ward is at home; 2 hours per month if wards is in a facility)	20.97% 13	33.87% 21	29.03% 18	12.90% 8	3.23% 2	62
One routine personal visit per month	30.65% 19	30.65% 19	16.13% 10	19.35% 12	3.23% 2	62
Preparation of conservator's account and budget (5 hours per year)	14.52% 9	32.26% 20	11.29% 7	20.97% 13	20.97% 13	62
Preparation of annual guardianship report (2 hours per year)	24.19% 15	43.55% 27	19.35% 12	8.06% 5	4.84% 3	62
Marshalling of assets and preparation of initial inventory (80 hours)	27.42% 17	32.26% 20	12.90% 8	17.74% 11	9.68% 6	62



# CONCLUSION

An overwhelming number of responses indicated that no additional language was recommended for the code section. Some input was received about potential changes to help clarify some billing tasks but based on the responses received and due to judicial discretion to exceed timeframes for common service categories, most of the probate matters were being managed as intended using these guidelines.

CSD Staff submitted the technical changes identified in Appendix B to correct the areas of conflict with current rules and procedures, which were approved and amended as of November 2022.

Based on many of the comments and responses received, no specific course of action is requested at this time, and CSD Staff will continue to monitor the reviews on a regular basis. According to the recommendation review cycle, the next review will be scheduled for the end of 2024. Should the Arizona Judicial Council decide to establish a panel of experts to conduct further evaluation and research in this area, staff will provide the necessary support.

# APPENDIX A- 2022 Survey Questions

## 2022 Statewide Probate Fee Guidelines Review - Attorneys

Arizona Administrative Office of Courts  
Court Services Division

**This survey is one of multiple surveys being sent to judges, licensed and unlicensed court-appointed fiduciaries and attorneys. The survey is made available to all attorneys across the state, with the expectation that attorneys who have sought reimbursement for professional services under ARS Title 14 and Rule 33 of the Rules of Probate Procedure would respond. Thank you in advance for taking this brief survey. Your anonymous responses will be used to inform the court of potential issues to address as part of the review process in ACJA Section 3-303.**

\* 1. Select the county in which you have acted as a fiduciary or provided other professional services in a matter subject to the fee guidelines of Arizona Code of Judicial Administration (ACJA) Section 3-303. Check all that apply.

- Apache
- Cochise
- Coconino
- Gila
- Graham
- Greenlee
- La Paz
- Maricopa
- Mohave
- Navajo
- Pinal
- Pima
- Santa Cruz
- Yavapai
- Yuma

\* 2. Do you check your billings against the fee guidelines before submitting to the court?

*Note: If you check ACJA 3-303 for changes or updates to ensure billing compliance on at least a quarterly basis, choose "occasionally". If you operate on memory of the guidelines in billing, choose "never". If you do not review the code section for each billing, answer "never".*

- Always
- Occasionally
- Never

\* 3. Do you believe the time limits set forth within ACJA 3-303(D)(3)(c) and prescribed below for "common fiduciary services" are reasonable?

*Note: The code section sets forth that these limits may only be exceeded if the fiduciary provides a reasonable explanation for exceeding those limits. Answers provided to this question will allow staff within the Administrative Office of Courts to learn if any of these limits need reconsideration and an amendment to ACJA 3-303 should be sought.*

	Strongly agree	Somewhat agree	Neutral	Somewhat disagree	Strongly disagree
Routine bookkeeping, such as disbursements, bank reconciliation, etc. (4 hours per month)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Routine shopping (6 hours per month, if ward is at home; 2 hours per month if ward is in a facility)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
One routine personal visit per month	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Preparation of conservator's account and budget (5 hours per year)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Preparation of annual guardianship report (2 hours per year)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Marshalling of assets and preparation of initial inventory (80 hours)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

4. Are there other common services that should be added to the Code? If so, what are they?

\* 5. Which compensation and reimbursement arrangements do you use when submitting your billing for professional services rendered? Check all that apply.

- Hourly
- Flat Fee
- Contingent Fee
- Other (please specify)

\* 6. How often do you need to request that the court approve billing amounts different than those listed in the fee guidelines?

*Note: This includes requests for approval of time spent on "common fiduciary services" that exceed the "reasonable" amounts of time listed in ACJA 3-303(D)(3)(c).*

- Always
- Almost always
- Occasionally
- Rarely
- Never

\* 7. Select the item below that best describes your most common practice when submitting requests for compensation under Rule 33 of the Probate Rules.

- A majority of matters involve requests to the court for approval of fees
- There are roughly an equal number of matters where I request approval of fees as compared to those with stipulations to fees or waivers of fee review
- A majority of matters involve stipulations to fees or waivers of fee review

8. In your opinion, do the fee guidelines help contain the cost of administration of estates?

- Yes
- Somewhat
- No

9. Is there other information regarding the current fee guidelines you would like to share ?

**Thank you for your time and expertise in answering this survey regarding the 2022 Statewide Fee Guideline Review. Your participation is greatly appreciated.**

## 2022 Probate Fee Guideline Review - Non-Attorney Fiduciaries

### Arizona Administrative Office of the Courts Court Services Division

\* 1. Select the county in which you have acted as a fiduciary or provided other professional services in a matter subject to the fee guidelines of ACJA 3-303, "Professional Services: Statewide Fee Guidelines and Competitive Bids." (Choose all that apply)

- Apache
- Cochise
- Coconino
- Gila
- Graham
- Greenlee
- La Paz
- Maricopa
- Mohave
- Navajo
- Pinal
- Pima
- Santa Cruz
- Yavapai
- Yuma

\* 2. Do you have a continuity plan?

- Yes
- No

\* 3. If you answered yes to Question 2, do you have a fiduciary to handle your caseload in the event you become incapacitated?

- Yes
- No
- Not applicable

\* 4. If you answered yes to Questions 2 and 3, have you notified that person, and provided the designee with the information necessary to take on the responsibility?

- Yes
- No
- Not applicable

\* 5. Please indicate what manner you use to bill for professional services subject to ACJA 3-303. Check all that apply.

- Hourly
- Flat Fee
- Contingency

Other (please specify)

\* 6. How often do you review ACJA Sections 3-303 and 7-202?

- Monthly
- Bi-annually
- Quarterly
- Yearly
- Only if I feel necessary

Other (please specify)

\* 7. ACJA 3-303(D)(3)(c) sets forth a list of "common fiduciary services" and "usual and customary" hours billed for those services. A fiduciary is required to provide a reasonable explanation for any billing that exceeds these "usual and customary" hours. This question is directed at your opinion of the reasonableness of the time limits. Your answers will help the Court to determine if these time limits should be reconsidered.

	Strongly agree	Somewhat agree	Neutral	Somewhat disagree	Strongly disagree
Routine bookkeeping (4 hours per month)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Routine shopping (6 hours per month, if ward is at home; 2 hours per month if wards is in a facility)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
One routine personal visit per month	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Preparation of conservator's account and budget (5 hours per year)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Preparation of annual guardianship report (2 hours per year)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Marshalling of assets and preparation of initial inventory (80 hours)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

\* 8. How often do you seek court approval for billings that exceed the "usual and customary" timeframes set forth in ACJA 3-303?

- Always
- Almost always
- Occasionally
- Rarely
- Never

\* 9. Are there other common services that should be added to the Code? If so, what are they?

\* 10. Select the item below that best describes your most common practice when submitting requests for compensation under Rule 33 of the Probate Rules.

- A majority of matters involve requests to the court for approval of fees.
- There are roughly an equal number of matters where I request approval of fees as compared to those with stipulations to fees or waivers of fee review.
- A majority of matters involve stipulations to fees or waivers of fee review.

\* 11. How often do you stipulate to or request stipulation to requests for compensation?

- Always
- Occasionally
- Never

12. In your opinion, do the fee guidelines help contain the cost of administration of estates?

- Yes
- Somewhat
- No

\* 13. Is there other information regarding the current fee guidelines you would like to share ?

Thank you for your time and expertise in answering this survey regarding the 2022 Statewide Fee Guideline Review. Your participation is greatly appreciated. Please insert your name and email below if you would like to be contacted regarding this survey.

## 2022 Probate Fee Guideline Review Survey (Judicial Officers)

\* 1. Select the county in which you preside over cases or in which you are employed.

## 2022 Probate Fee Guideline Review Survey (Judicial Officers)

\* 2. Have you ever presided over a probate case?

Yes

No

## 2022 Probate Fee Guideline Review Survey (Judicial Officers)

\* 3. Which answer below best describes the number of years you have been on the probate bench or that you have heard probate cases?

1 - 2 years

3-5 years

More than 5 years

## 2022 Probate Fee Guideline Review Survey (Judicial Officers)

\* 4. Please indicate the extent to which the compensation of professional services submitted to the court in probate cases meets the following requirements:

	Strongly disagree	Somewhat disagree	Neutral	Somewhat agree	Strongly agree
Hourly billing is in an increment to the nearest 1/10th of an hour	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Value billing is not permitted (i.e., did not track time)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Block billing does not occur	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
100% of necessary travel time and waiting time is billed only in cases where	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

the service cannot be more efficiently rendered by the professional

☺ ☺ ☺ ☺ ☺

Billable time that benefits multiple clients, including travel and waiting time is appropriately proportioned among each client

Billable time does not include time spent on billing or accounts receivable activities or internal business activities of the professional

The hourly rate charged for any given task is commensurate with the task performed, and clerical and secretarial activities are not billed separately

Time and expenses to correct or mitigate errors or to respond or defend against a regulatory complaint is not billed to the Estate

Attorneys and fiduciaries only bill for their time attending hearings, depositions, and other court proceedings on behalf of a client/estate

If you disagree with any statement above, please indicate which statement(s) and explain your disagreement.

2022 Probate Fee Guideline Review Survey (Judicial Officers)

\* 5. Do you see any challenges that arise from non-traditional compensation arrangements such as a flat fee or contingent fee?

Yes

No

If yes, please explain the challenges you have seen.

\* 6. Rate the extent to which the common fiduciary services listed in the table below reflect the "usual and customary" hours billed to estates:

	Strongly disagree	Somewhat disagree	Neutral	Somewhat agree	Strongly agree
Routine bookkeeping: 4 hours per month	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Routine shopping: 6 hours per month if the ward is at home, and 2 hours if the ward is in a facility	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
One routine personal visit per month	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Preparation of conservator's account and budget: 5 hours per year	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Preparation of annual guardianship report: 2 hours per year	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Marshalling of assets and preparation of initial inventory: 80 hours	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

If you disagree with any of the above-noted guidelines for common fiduciary services, please explain:

\* 7. Are there other common services that should be added to the code?

- Yes
- No

If you answered "yes," please explain what additional services should be added along with the number of hours deemed necessary.

2022 Probate Fee Guideline Review Survey (Judicial Officers)

\* 8. Do you have any comments or proposed language changes to ACJA 3-303 that would assist with the application of the current Probate Statewide Fee Guidelines or improve the enforcement of those guidelines?

- Yes
- No

If you answered "yes," please enter your comment or suggested language change here:

2022 Probate Fee Guideline Review Survey (Judicial Officers)

9. A Statewide Fee Guidelines Project Manager may contact me at the email address or telephone number provided below during regular business hours:

**Name:**

**Email Address:**

**Phone Number:**

2022 Probate Fee Guideline Review Survey (Judicial Officers)

10. Thank you for your time and expertise in answering this survey regarding the Statewide Fee Guidelines! Your assistance is greatly appreciated.