

## **Public Administrator Job Description**

A Public Administrator is a private individual (typically a lawyer) appointed by the district court sitting in probate to collect, protect, and manage the assets of certain living individuals and to administer the estates of certain decedents where the decedent left no one who is willing and/or able to administer the estate. A public administrator is not a public employee and they are not employed by the court.

### **Minimum Qualifications**

The appointee must be a qualified elector over 21 years of age and must be a resident or maintain a principal place of business in the 17<sup>th</sup> Judicial District.

### **Preferred Qualifications**

A lawyer in good standing with at least 5 years' experience practicing in the field of probate administration, probate litigation, trust administration or protective proceedings.

### **Job Duties**

The Public Administrator is appointed as a neutral fiduciary in a variety of matters involving estates, trusts and conservatorships.

#### ***Decedents Estates***

The Public Administrator will be responsible for administering the estates of decedents in a variety of circumstances, including when next of kin cannot be found. The Public Administrator may also be asked to protect a decedent's assets when heirs are not immediately available.

#### ***Conservatorships***

The Public Administrator may be appointed as a conservator for a protected person in a variety of circumstances where an independent fiduciary is needed to manage, protect, or preserve a protected person's assets.

### ***Typical Estate Administration Duties<sup>1</sup>***

- Conduct a thorough investigation to locate assets owned by a decedent or protected person
- Marshall, manage and re-title assets for the benefit of the protected person, or heirs and creditors
- Inventory and appraise all real property and valuable personal property
- Direct and participate in the distribution of real and personal property
- Direct the removal, maintenance, or storage of personal property
- Notice creditors and pay claims in order of statutory priority
- Maintain fiduciary accounts for the protected person or estate
- Prepare inventories and accountings for the court
- Pay bills and taxes for a protected person
- Direct the collection of rents and income, and make decisions regarding the liquidation of assets
- Maintain appropriate insurance policies
- Sign checks, receipts, and other legal documents
- Interact with interested persons to explain the Public Administrator's authority and procedures and solve complex problems related to asset ownership
- Investigate the validity of wills, claims, liens, and costs of liquidation
- Prepare real property for sale, including the clean out of hoarder houses
- Initiate and maintain eviction proceedings
- Arrange for proper burial of unclaimed decedents
- Distribute estate assets according a decedent's will or the laws of intestacy
- Appear and testify in court and in some circumstances, attend mediations

The Public Administrator is required to submit a yearly report to the Chief Judge of the 17<sup>th</sup> Judicial District.

The Public Administrator will be required to post a \$100,000 bond with the Colorado Secretary of State.

### **Compensation**

A Public Administrator can establish their own fee schedule subject to approval by the Chief Judge of the 17<sup>th</sup> Judicial District. A Public Administrator is typically compensated by the estate which the Public Administrator is serving as a fiduciary for. In cases where there are insufficient funds to pay the Public Administrator then the Public Administrator may petition the court to approve payment of their fees and costs from the State of Colorado.

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<sup>1</sup> This list is meant to be illustrative, not exhaustive.