



## Public Trustee Services

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### Why Is This Important?

- Public Trustee Services, a section of the New Brunswick Legal Aid Services Commission, provides trustee and guardianship services to some of the most vulnerable New Brunswick residents.
- The program has a significant social impact; it is the last resort for its clients.
- Net client assets held in trust total \$9.96 million at March 31, 2015.
- Client base will continue to grow with NB's aging population.

## What We Found

### Overall Conclusions

- Public Trustee did not safeguard and administer client assets held in trust to the standard we expected.
- Processes for making care decisions on behalf of clients were in accordance with legislation and policies. However, improvements are needed to properly document care decisions.
- Public Trustee has not publicly reported on the performance of its services since 2011.

### Improvements needed to safeguard and administer client assets

- Outdated and incomplete policies
- Investment policy not implemented
- Inadequate controls over electronic receipt of revenue
- Lack of a process for supervisory review of client files
- Inadequate case management information system

### Need for Public Reporting

- No annual report prepared since 2011.
- No audited financial statements for trusts made public since 2011.

### Issues Requiring Legislation Changes

- Lengthy process to obtain authority to act as Public Trustee for a client
- Loss of authority upon death of a client
- Limitations in fees that can be charged to clients
- Inability to distribute unclaimed property