

Professional Fiduciary Roles Overview

What Care Managers Need to Know

*Care Managers are often among the first professionals to notice when a client's needs extend beyond care management support alone. This overview introduces the **role of professional fiduciaries**, the **situations they support**, and the formal **roles they serve**, so care managers can recognize when additional structure, authority, or protection may be helpful.*

*This handout is for **awareness and referral clarity**, not to assess capacity or provide legal advice.*

What Is a Professional Fiduciary?

A **professional fiduciary** is an individual legally authorized to act on behalf of another person when decision-making, oversight, or management of personal, financial, or legal matters requires formal authority and accountability.

Professional fiduciaries:

- Are appointed by a court or legally designated through documents (such as a trust or power of attorney)
- Act under state law and ethical standards
- Are accountable to courts, agencies, or governing documents
- Focus on protecting the person's **rights, safety, preferences, and best interests**
- Always seek the **Least Restrictive Alternative**, supporting independence wherever possible in guardian roles

Important distinction:

Professional fiduciaries are different from financial fiduciaries. While financial fiduciaries manage investments, professional fiduciaries manage **the whole person's situation**. often during periods of vulnerability, incapacity, or complexity.

Types of Clients Professional Fiduciaries Support

Professional fiduciaries work with a wide range of individuals and families, including:

- Older adults experiencing cognitive decline (e.g., dementia, Alzheimer's)
- Adults with intellectual or developmental disabilities (IDD)
- Individuals with traumatic brain injury (TBI)
- Adults with serious mental illness
- Minors without available or appropriate guardians
- Solo agers with no nearby or appropriate family support
- Individuals facing complex family conflict or exploitation risk
- People who planned ahead and named a professional fiduciary proactively

Fiduciary involvement does not always mean loss of independence. It often means added protection, structure, and advocacy.

The Six Common Professional Fiduciary Roles

- Guardian
- Conservator
- Trustee
- Estate Administrator/Executor
- Agent under Power of Attorney
- Representative Payee/VA Fiduciary

Questions to Ask Yourself as a Care Manager

- Is this client being asked to make decisions they may not fully understand?
- Is there growing risk without clear authority?
- Would added structure or oversight protect this client long-term?

When the answer is yes, a professional fiduciary may be part of the solution.