

We do not intend any disparagement of the judicial system, but only to point out that the functions it is primarily designed to perform are not the kinds which the development of the Agua Caliente Indians as social and economic beings requires. The courts are just not set up to operate dynamic educational and property management programs.

Whatever else is done, we are convinced that court appointed fiduciaries should be completely removed from the administration of the Indians' trust property. The responsibility for the administration of such property is by law assigned to the Secretary of the Interior. There is no need to superimpose upon the trust relationship which exists between the United States and the Indians another fiduciary structure erected on state law. The function of assisting the Indians in the management of their trust lands should be left to the United States so as to eliminate the charging of fees by individuals in connection with its performance.

We are also firmly of the opinion that the establishment of conservatorships for adult Indians should be discouraged. We have grave doubts that Section 4 of the Equalization Act, which speaks of guardians only, contemplated the employment of conservatorships in the discharge of its mandate. Under California law guardians may be appointed for adults as well as minors who are incapable of managing their own affairs. As noted, the standards for appointment of conservators are less rigorous than those for the appointment of guardians. Certainly the practices of routinely