

GENERAL PROBATE CONSERVATORSHIP CHART

You need an order from the court to care for another adult or a married/divorced minor who cannot care for him/herself (conservatee)

General Probate Conservatorship
For any adult who is unable to provide for his/her personal needs or unable to manage his/her finances, resist fraud or undue influence due to physical injury, dementia, or other reasons.

Limited Conservatorship
For a person who is developmentally disabled. The powers of the conservator are limited so the disabled person can live as independently as possible.

TYPES OF CONSERVATORSHIPS

Conservatorship of the PERSON:
Appointed to handle the conservatee's care, needs, living arrangements, etc.

Conservatorship of the ESTATE:
Appointed to handle the money and property of the conservatee.

***You can be appointed both Conservator of Estate and Conservator of Person ***

What to File:

- Petition for Appointment of Probate Conservator GC-310
- Attachment Re: Special Orders Regarding Dementia GC-313
- Capacity Declaration GC-335; 335(a) – must be completed prior to court date
- Confidential Supplemental Information GC-312
- Confidential Conservator Screening Form GC-314
- Declaration Re: Conservatorship Trust Accounts RI-P27
- Probate Investigators Referral Report (Local Form RI-P016)
- Record Check Request (Local Form, RI-P26)
- Duties of Conservator GC-348
- Citation for Conservatorship and Proof of Service GC-320
- Order Appointing Probate Conservator GC-340
- Letters of Conservatorship GC-350
- Notice of Hearing GC-020

Filing Fee:
\$410.00 Petition
(You can file a Request to Waive Court Fees if you cannot afford the above fees)

You will be assigned a case number and given a hearing date.

Mark your calendar.

The hearing date is usually set between 6-8 week after the filing date.

In some cases Notice must be mailed to the Veterans Administration, Director of Mental Health, or Director of Developmental Services at least 15 days before the hearing.

Giving Notice:
You must arrange for someone other than yourself 18 years of age or older to mail a copy of the Notice of hearing (GC-020) and the Petition for Appointment of Probate Conservator (GC-310) to all first and second degree relatives of the proposed Conservatee at least 15 days before the hearing. Your server will need to complete a Proof of Service. The "original" Notice of Hearing with the completed Proof of Service then needs to be filed at court.

If the proposed Conservatee is developmentally disabled, Notice must be mailed to the Regional Center at least 30 days before the hearing.

***The Conservatee must be served in person with the Petition for Appointment of Probate Conservator (GC-310) and a "copy" of the Citation for Conservatorship (GC-320) at least 15 days before the hearing. The server must fill out the Proof of Service on page 2 of the "original" Citation and you must file it.**

The court will schedule a "100-day review" hearing. Before this hearing date, you will need to complete & file the Notice of Conservatee's Rights (GC-341). If you are Conservator of the Person, you also need to complete & file a Determination of Conservatee's Level of Care (GC-355). If you are Conservator of the Estate, you will need to file a final Inventory and Appraisal (GC-040), Notice of Filing Inventory (GC-042), and if the Conservatee owns real property you will need to record your Letters of Conservatorship with the County Record's office where the property is located and file a Declaration (MC-030) indicating the date and location where you recorded the letters.

An investigation will be completed & the report will be filed with the Court. The Conservatee is responsible for the investigation fee (\$650.00), unless the Court determines the Conservatee is unable to pay the fees.

Attend Your Hearing
If appointed, your Order Appointing Conservator GC-340 may be signed at your hearing and given to you. You can then take the signed Order and Letters of Conservatorship GC-350 to the Clerk's Office to be issued by the Clerk of the Court.