

# CONSERVATORSHIP

## Information for Self-Represented Litigants



Superior Court of California  
County of Riverside  
Self-Help Center

### WHAT IS A CONSERVATORSHIP?

A Conservatorship is a court case in which a Judge appoints a family member, friend, or other responsible person (called a Conservator) to care for another adult, who cannot care for him or herself (called a Conservatee).

Once you are appointed conservator, you are legally responsible to provide care for the Conservatee's daily needs. Conservatorships are heard in the Probate Department of the Superior Court.

### ARE THERE DIFFERENT TYPES OF CONSERVATORSHIPS?

Yes. There are three (3) types of Conservatorships:

1. **General Probate Conservatorship** – For adults who cannot provide for their own personal needs due to physical injury, dementia, or other reasons that make them incapable for caring for themselves or making them subject to undue influence.
2. **Limited Conservatorship** - Only for a person who is developmentally disabled. The powers are limited so the person may live as independently as possible.
3. **LPS (Lanterman-Petris-Short) Conservatorship** – Arranged for persons who require very restrictive living arrangements and extended mental health treatment, who cannot or will not agree to the treatment voluntarily. LPS Conservatorships are confidential cases.

## **IF THE COURT NAMES ME CONSERVATOR, IS IT MY RESPONSIBILITY TO HANDLE THE CONSERVATEE'S FINANCES?**

Possibly. You can either be designated as "Conservator of the Person," "Conservator of the Estate," or both.

If you are **Conservator of the Person**, this means you:

- Arrange for the Conservatee's care and protection,
- Decide where the Conservatee will live,
- Are in charge of:
  - Health care
  - Food
  - Clothes
  - Personal Care
  - Housekeeping, transportation & recreation

If you are **Conservator of the Estate**, you will:

- Manage the Conservatee's Finances
- Protect the Conservatee's income and property
- Make a list of everything in the estate
- Make a plan to make sure the Conservatee's needs are met
- Make sure the Conservatee's bills are paid
- Invest the Conservatee's money
- Make sure the Conservatee gets all the benefits he/she is eligible for
- Make sure the taxes are filed and paid on time
- Keep exact financial records
- Make regular reports of the financial accounts to the court and other interested persons

## **CAN A CONSERVATORSHIP BE TEMPORARY?**

Yes. You can request to be a temporary Conservator when a person needs immediate help (**emergency situations only**), but you must file the Petition for appointment of Probate Conservator (permanent orders), simultaneously. If appointed by the court, you will have most of the same duties and powers that a permanent Conservator has. A temporary Conservatorship will last for a specific time period until you or someone else can be appointed as the permanent Conservator.

## **WHAT FORMS DO I NEED TO BEGIN A CONSERVATORSHIP?**

- 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 RI-P02
- Record Check Request (Local Form, RI-P26)
- Order Appointing Court Investigator (caption only) GC-330

- 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

## **WHERE CAN I GET HELP?**

Being a Conservator can be a confusing and overwhelming process. You may need legal advice that can only be provided by an attorney. You can find information regarding Conservatorships by visiting:

<http://www.courts.ca.gov/selfhelp-seniors.htm>

To attend a Conservatorship Clinic, contact Public Service Law Corporation at: 951-682-7968. The Clinic is by appointment only and you must be income-qualified.

For further assistance, please see Riverside Superior Court's Civil Self-Help Calendar. You can pick up the calendar at your local court or view the calendar online at:

[http://www.riverside.courts.ca.gov/cal\\_rivcivilselfhelp.pdf](http://www.riverside.courts.ca.gov/cal_rivcivilselfhelp.pdf)