

HON. JOHN M. MONTEROSSO
Presiding Judge

HON. KENNETH J. FERNANDEZ
Supervising Judge, Probate Division



PROBATE DIVISION

HISTORIC COURTHOUSE
4050 Main Street
Riverside, CA 92501

PALM SPRINGS COURTHOUSE
3255 E. Tahquitz Canyon Way
Palm Springs, CA 92262

TEMECULA COURTHOUSE
41002 County Center Drive #100
Temecula CA 92591

SUPERIOR COURT OF CALIFORNIA COUNTY OF RIVERSIDE

NOTICE

NEW PROBATE CODE SECTION 1835.5

Probate Code 1835.5 was added by Assembly Bill 1663, effective on January 1, 2023.

The Riverside Superior Court has developed two forms to implement this statute:

1. Personalized List of Rights, Local Form RI-PR105
2. Proof of Service of Personalized List of Rights, Local Form RI-PR106

These forms are available now as optional forms, and are proposed to become mandatory forms on or after July 1, 2023.

Conservators will be required to complete and file the Personalized List of Rights (Form RI-PR105) in every conservatorship case. (An Instruction Sheet (Local Form RI-PR105-INFO) is available to assist with this task.) The conservator must file the form with any petition that would modify the rights of a conservatee or proposed conservatee. If an accurate copy of the form was not filed before the court made an order that changes the rights of a conservatee or proposed conservatee, the conservator must file the form within 30 days after the order is made.

For existing conservatorship cases, the conservator must file the form within 30 days after the court appoints a probate investigator to complete an investigation under Probate Code 1851.

The form must also be served on the conservatee. If an order is made that changes the rights of a conservatee or proposed conservatee, the conservator must serve the form on the conservatee within 30 days after entry of that order and provide proof of service using the new form. During the course of investigations under Probate Code 1851, Probate Investigators will deliver the form to the conservatee.

Parties will be notified of the duty to file these forms through probate notes and minute orders for petitions, and through the order appointing a probate investigator. A local rule is also being proposed for this purpose.

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The court is also implementing a contact information sheet, as required by the new statute. This document will provide the conservatee with the name and contact information for the conservator, the probate investigator, and counsel for the conservatee. When a conservator is appointed, the clerk will generate this document and serve it on the conservatee by mail. It will also be generated when a probate investigator is appointed for an investigation under Probate Code 1851, and will be delivered to the conservatee by the investigator.

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