

Request to Waive Court Fees (Ward or Conservatee)

CONFIDENTIAL

Clerk stamps date here when form is filed.

This form must be used by a guardian or conservator, or by a petitioner for the appointment of a guardian or conservator, to request a waiver of court fees in the guardianship or conservatorship court proceeding or in any other civil action in which the guardian or conservator represents the interests of the ward or conservatee as a plaintiff or defendant.

If the ward or conservatee (including a proposed ward or conservatee if a petition for appointment of a guardian or conservator has been filed but has not yet been decided by the court) directly receives public benefits or is supported by public benefits received by another for their support, is a low-income person, or does not have enough income to pay for their household's basic needs and the court fees, you may use this form to ask the court to waive the court fees.

The court may order you to answer questions about the finances of the ward or conservatee. If the court waives the fees, the ward or conservatee, their estate, or someone with a duty to support the ward or conservatee, may still have to pay later if:

- You cannot give the court proof of the ward's or conservatee's eligibility,
- The ward's or conservatee's financial situation improves during this case, or
- You settle the civil case on behalf of the ward or conservatee for \$10,000 or more. The trial court that waives fees will have a lien on any such settlement in the amount of the waived fees and costs. The court may also charge the ward or conservatee, or their estate, any collection costs.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number and name:

Case Number:

Case Name:

1 Your Information (guardian or conservator, or person asking the court to appoint a guardian or conservator):

Name: _____ Phone: _____

Street or mailing address: _____

City: _____ State: _____ Zip: _____

2 Your Lawyer (if you have one): Name: _____

Firm or Affiliation: _____ State Bar No.: _____

Address: _____ Phone: _____

City: _____ State: _____ Zip: _____ E-mail: _____

a. The lawyer has agreed to advance all or a portion of court fees or costs (check one): Yes ☐ No ☐

b. (If yes, your lawyer must sign here.) Lawyer's signature: _____
If your lawyer is not providing legal-aid type services based on your or the ward's or conservatee's low income, you may have to go to a hearing to explain why you are asking the court to waive the fees.

3 Ward's or Conservatee's Information (file a separate Request for each ward in a multiward case):

Name: _____ Age and date of birth (ward only): _____

Street or mailing address: _____

City: _____ State: _____ Zip: _____

Phone: _____

4 Ward's or Conservatee's Lawyer, if any: Name: _____

Firm or Affiliation: _____ State Bar No.: _____

Address: _____ Phone: _____

City: _____ State: _____ Zip: _____ E-mail: _____

5 Ward or Conservatee's Job (job title; if not employed, so state): _____

Name of employer: _____

Employer's address: _____ State: _____ Zip: _____



Name of (Proposed) Ward or Conservatee:

Case Number:

6 What court's fees or costs are you asking to be waived?

- ☐ Superior Court (See *Information Sheet on Waiver of Superior Court Fees and Costs* (form FW-001-INFO).)
☐ Supreme Court, Court of Appeal, or Appellate Division of Superior Court (See *Information Sheet on Waiver of Appellate Court Fees* (form APP-015/FW-015-INFO).)

- 7** ☐ Check here if you asked the court to waive court fees for this case in the last six months.
(If your previous request is reasonably available, please attach it to this form and check here): ☐

8 Why are you asking the court to waive the ward's or conservatee's court fees?

- a. ☐ The ward or one or both of the ward's parents, or the conservatee or the conservatee's spouse or registered domestic partner, receive (check all that apply):

- ☐ Supplemental Security Income (SSI) ☐ State Supplemental Payment (SSP) ☐ SNAP (Food Stamps)
☐ IHSS (In-Home Supportive Services) ☐ CalWORKS or Tribal TANF ☐ Medi-Cal
☐ County Relief/General Assistance ☐ CAPI (Cash Assistance Program for Aged, Blind, and Disabled)
☐ Special Supplemental Nutrition Program for Women, Infants, and Children (WIC Program)
☐ Unemployment Compensation

(Names and relationships to ward or conservatee of persons who receive the public benefits listed above):

- b. ☐ The gross monthly income of the ward's or conservatee's household (before deductions for taxes) is less than the amount listed below. (If you check 8b, you **must** fill out items 14, 15, and 16 on page 4 of this form.)*

Family Size	Family Income	Family Size	Family Income	Family Size	Family Income	If more than 6 people at home, add \$916.67 for each extra person.
1	\$2,608.33	3	\$4,441.67	5	\$6,275.00	
2	\$3,525.00	4	\$5,358.33	6	\$7,191.67	

- c. ☐ The ward's or conservatee's household does not have enough income to pay for its basic needs and the court fees. I ask the court to (check one, and you **must** fill out items 14, 15, 16, 17, and 18 on page 4):*

- (1) ☐ Waive all court fees and costs. (2) ☐ Waive some court fees and costs.
(3) ☐ Let the (proposed) guardian or conservator, on behalf of the (proposed) ward or conservatee, make payments over time.

* (Do not include income of guardian or conservator living in the household in 8b or 8c or count them in family size in 8b, unless they are a parent of the ward or the spouse or registered domestic partner of the conservatee.)

Guardians or petitioners for their appointment must complete items 9 and 10.

9 Ward's Estate: ☐ Person only, no estate. ☐ Inventory or petition estimated value:

Source (e.g., gift, inheritance, settlement, judgment, insurance):

Est. collection date:

10 Ward's Parents' Information:

- a. Name of ward's parent: _____ ☐ Deceased (date of death): _____
Street or mailing address: _____
City: _____ State: _____ Zip: _____
Phone: _____
- b. Name of ward's parent: _____ ☐ Deceased (date of death): _____
Street or mailing address: _____
City: _____ State: _____ Zip: _____
Phone: _____
- c. Ward's parents are (check all that apply): ☐ married ☐ living together ☐ separated ☐ divorced
Support order for ward? ☐ No ☐ Yes Payable to (name): _____
Payor (name): _____
Court: _____ Case Number: _____
Date of order (if multiple, date of latest): _____ Monthly amount: _____



Name of (Proposed) Ward or Conservatee: _____

Case Number: _____

Conservators or petitioners for their appointment must complete items 11–13.

11 Conservatee's Estate: ☐ Person only, no estate.

☐ Inventory or petition estimated value: _____

Est. collection date: _____

12 Conservatee's Spouse's or Registered Domestic Partner's Information:

Name of conservatee's spouse or registered domestic partner: _____ ☐ Spouse ☐ Partner

Date of marriage or partnership: _____ ☐ Deceased (*date of death*): _____

Street or mailing address: _____ Phone: _____

City: _____ State: _____ Zip: _____

Name of employer (*if none, so state*): _____

Employer's address: _____ State: _____ Zip: _____

The conservatee's spouse or partner ☐ is ☐ is not managing, or following appointment of a conservator is planning to manage, some or all of the couple's community property outside the conservatorship estate.

If you selected "is" above: The income, money, and property shown on page 4 ☐ includes ☐ does not include the income and property managed, or expected to be managed, by the spouse/partner outside the estate.

☐ Divorced (*date of final judgment or decree*): _____

Court: _____

Case Number: _____ Support order for conservatee? ☐ No ☐ Yes

Date of support order (*if multiple, date of latest*): _____ Monthly amount: _____

13 The Conservatee and Trusts:

The conservatee:

a. ☐ is ☐ is not a trustor or settlor of a trust.

b. ☐ is ☐ is not a beneficiary of a trust.

If you selected "Is" to complete any of the above statements, identify and provide, in an attachment to this *Request*, the current address and telephone number of the current trustee(s) of each trust, describe the general terms of and value of each trust and the nature and value of the conservatee's interest in each trust, and the amount(s) and frequency of any distributions to or for the benefit of the conservatee prior to your appointment as conservator of which you are aware. (*You may use Judicial Council form MC-025 for this purpose.*)

All applicants who checked item 8b or item 8c on page 2 must continue to and follow the instructions for completion of items 14–16 or items 14–18 on page 4, before signing below.

The information I have provided on this form and all attachments about the (proposed) ward or conservatee is true and correct to the best of my information and belief. The information I have provided on this form and all attachments concerning myself is true and correct. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

Print your name here



Sign here



Name of (Proposed) Ward or Conservatee:

Case Number:

If you checked 8a on page 2, do not fill out below. If you checked 8b, you **must** answer questions 14–16. If you checked 8c, you **must** answer questions 14–18. If you need more space, attach form MC-025 or attach a sheet of paper, and write "Financial Information" and the ward's or conservatee's name and case number at the top.

- 14** ☐ Check here if the ward's or conservatee's income changes a lot from month to month. If it does, complete the form based on their average income for the past 12 months.

15 Ward's or Conservatee's Gross Monthly Income

- a. List the source and amount of **any** income the ward or conservatee gets each month, including: wages or other income from work before deductions, spousal/child support, retirement, social security, disability, unemployment, military basic allowance for quarters (BAQ), veterans payments, dividends, interest, trust income, annuities, net business or rental income, reimbursement for job-related expenses, gambling or lottery winnings, etc.

(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____
(4) _____ \$ _____
(5) _____ \$ _____

b. Total monthly income: \$ _____

16 Ward's or Conservatee's Household's Income

- a. List the income of all other persons living in the ward's or conservatee's home who depend in whole or in part on them for support, or on whom they depend in whole or in part for support.

Name	Age	Relationship	Gross Monthly Income
(1) _____	_____	_____	\$ _____
(2) _____	_____	_____	\$ _____
(3) _____	_____	_____	\$ _____
(4) _____	_____	_____	\$ _____
(5) _____	_____	_____	\$ _____
(6) _____	_____	_____	\$ _____
(7) _____	_____	_____	\$ _____
(8) _____	_____	_____	\$ _____
(9) _____	_____	_____	\$ _____
(10) _____	_____	_____	\$ _____

b. Total monthly income of persons above: \$ _____

Total monthly income and

household income (15b plus 16b): \$ _____

To list any other facts you want the court to know, such as the (proposed) ward's or conservatee's unusual medical expenses, etc, attach form MC-025 or attach a sheet of paper and write "Financial Information" and the (proposed) ward's or conservatee's name and case number at the top.

Check here if you attach another page. ☐

Important! If the ward's or conservatee's financial situation or ability to pay court fees improves, you must notify the court within five days on form FW-010-GC.

Do not include income of guardian or conservator living in the household in item 16, their money and property in item 17, or their deductions and expenses in item 18 unless they are a parent of the ward or the spouse or registered domestic partner of the conservatee.

17 Ward's or Conservatee's Household's Money and Property

a. Cash \$ _____

- b. All financial accounts (list bank name and amount):

(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____

- c. Cars, boats, and other vehicles

Make / Year	Fair Market Value	How Much You Still Owe
(1) _____	\$ _____	\$ _____
(2) _____	\$ _____	\$ _____
(3) _____	\$ _____	\$ _____

- d. Real estate

Address	Fair Market Value	How Much You Still Owe
(1) _____	\$ _____	\$ _____
(2) _____	\$ _____	\$ _____

- e. Other personal property (jewelry, furniture, furs, stocks, bonds, etc.):

Describe	Fair Market Value	How Much You Still Owe
(1) _____	\$ _____	\$ _____
(2) _____	\$ _____	\$ _____

18 Ward's or Conservatee's Household's Monthly Deductions and Expenses

- a. List any payroll deductions and the monthly amount below:

(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____
(4) _____ \$ _____

- b. Rent or house payment and maintenance \$ _____
c. Food and household supplies \$ _____
d. Utilities and telephone \$ _____
e. Clothing \$ _____
f. Laundry and cleaning \$ _____
g. Medical and dental expenses \$ _____
h. Insurance (life, health, accident, etc.) \$ _____
i. School, child care \$ _____
j. Child, spousal support (another marriage) \$ _____
k. Transportation, gas, auto repair and insurance \$ _____
l. Installment payments (list each below):

Paid to:
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____

- m. Wages/earnings withheld by court order \$ _____

- n. Any other monthly expenses (list each below):

Paid to: How Much?
(1) _____ \$ _____
(2) _____ \$ _____
(3) _____ \$ _____

Total monthly expenses
(add 18a – 18n above): \$ _____

Clerk stamps date here when form is filed.

1 (Proposed) guardian or conservator who asked the court to waive court fees for (proposed) ward or conservatee:

Name: _____
 Street or mailing address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____

2 Lawyer, if person in ① has one:

Name: _____ State Bar No: _____
 Firm or Affiliation: _____
 Street or mailing address: _____
 City: _____ State: _____ Zip: _____
 E-mail: _____ Telephone: _____

3 (Proposed) ward or conservatee:

Name: _____
 Street or mailing address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____

4 Lawyer for (proposed) ward or conservatee, if any:

Name: _____ State Bar No: _____
 Firm or Affiliation: _____
 Street or mailing address: _____
 City: _____ State: _____ Zip: _____
 E-mail: _____ Telephone: _____

5 A request to waive court fees was filed on (date): _____

☐ The court made a previous fee waiver order in this case on (date): _____

Read this form carefully. All checked boxes ☒ are court orders.

Notice: The court may order you to answer questions about the ward's or conservatee's finances after granting a waiver and may later order payment of the waived fees from his or her estate. If this happens and the fees are not paid, the court can also charge collection fees. The court may also direct you to make efforts to collect money to pay back waived fees from persons who owe a duty to support the ward or conservatee. If there is a change in the ward's or conservatee's financial circumstances during this case that increases his or her ability to pay fees and costs, you must notify the trial court within five days. (Use form FW-010-GC.)

If this case is an action against another party and you win the case on behalf of the ward or conservatee, the trial court may order the other side to pay some or all of the waived fees. If you settle the matter for \$10,000 or more, the trial court will have a lien on the settlement in the amount of the waived fees. The trial court may not dismiss the case until the lien is paid.

The court may also have a lien against the ward's or conservatee's estate that must be paid before the estate is distributed, the guardianship or conservatorship proceeding is concluded, and you are discharged as guardian or conservator.

6 After reviewing your: ☐ Request to Waive Court Fees ☐ Request to Waive Additional Court Fees the court makes the following orders:

a. ☐ The court **grants** your request concerning the ward's or conservatee's court fees and costs, as follows:

(1) ☐ **Fee Waiver.** The court grants your request and waives the fees and costs listed below.

(Cal. Rules of Court, rules 3.55 and 8.818.) You do not have to pay the court fees for the following:

- Filing papers in superior court
- Making copies and certifying copies
- Sheriff's fee to give notice
- Court fee for phone hearing
- Giving notice and certificates
- Sending papers to another court department

(List continued on next page.)



Name of (Proposed) Ward or Conservatee:

Case Number:

- 6 a. (1)
- Reporter's fee for attendance at hearing or trial, if you request that the court provide an official reporter
 - Assessment for court investigations under Probate Code section 1513, 1826, or 1851
 - Preparing, certifying, copying, and sending the clerk's transcript on appeal
 - Holding in trust the deposit for a reporter's transcript on appeal under rule 8.130 or 8.834
 - Making a transcript or copy of an official electronic recording under rule 8.835

- (2) ☐ **Additional Fee Waiver.** The court grants your request and waives the additional superior court fees and costs that are checked below. (*Cal. Rules of Court, rule 3.56.*) You do not have to pay for the checked items.

☐ Jury fees and expenses

☐ Fees for a peace officer to testify in court

☐ Fees for court-appointed experts

☐ Court-appointed interpreter fees for a witness

☐ Other (*specify*): _____

- b. ☐ The court **denies** your fee waiver request, as follows:

Warning! If you miss the deadline below, the court cannot process your request for hearing or the court papers you filed with your original request. If the papers were a notice of appeal, the appeal may be dismissed.

- (1) ☐ The court **denies** your request because it is incomplete. You have **10 days** after the clerk gives notice of this order (see date of service on next page) to:

- Pay the ward's or conservatee's fees and costs, or
- File a new revised request that includes the items listed: ☐ Below ☐ On Attachment 6b(1)

- (2) ☐ The court **denies** your request because the information you provided on the request shows that the ward or conservatee is not eligible for the fee waiver for the reasons specified:

☐ Below ☐ On Attachment 6b(2)

The court has enclosed a blank *Request for Hearing About Court Fee Waiver Order (Ward or Conservatee) (Superior Court)* (form FW-006-GC). You have **10 days** after the clerk gives notice of this order (see date of service on next page) to:

- Pay the fees and costs in full or the amount listed in c below, or
- Ask for a hearing in order to show the court more information. (*Use form FW-006-GC to request hearing.*)

- c. (1) ☐ The court needs more information to decide whether to grant your request. You must go to court on the date on page 3. The hearing will be about questions regarding your eligibility specified:

☐ Below ☐ On Attachment 6c(1)

- (2) ☐ Bring the items of proof to support your request, if reasonably available, that are listed:

☐ Below ☐ On Attachment 6c(2)

Name of (Proposed) Ward or Conservatee: _____

Case Number: _____

Warning! If item c is checked, and you do not go to court on your hearing date, the judge will deny your request to waive court fees, and you will have 10 days to pay the ward's or conservatee's fees. If you miss that deadline, the court cannot process the court papers you filed with your request. If the papers were a notice of appeal, the appeal may be dismissed.

NOTE TO GUARDIAN or CONSERVATOR: If there are unpaid court fees after a denial of a request for a fee waiver, your case—including the guardianship or conservatorship proceeding if the waiver is requested in that matter—might not go forward. After a denial, you may choose to advance the court costs yourself to ensure that the case proceeds. If you or another person is appointed as guardian or conservator, you would have an opportunity to be reimbursed for such advances from the assets of the guardianship or conservatorship estate, if any, as allowable expenses of administration. You might also have the right to reimbursement for advanced court costs from persons with an obligation to support the ward or conservatee from assets not part of his or her estate, such as a parent of the ward, the spouse or registered domestic partner of the conservatee who is managing the couple's community property outside the conservatorship estate, or the trustee of a trust of which the conservatee is a beneficiary.

Hearing
Date

Date: _____ Time: _____
Dept.: _____ Room: _____

Name and address of court if different from above:

Date: _____



Signature of (check one):

☐

Judicial Officer

☐

Clerk, Deputy



Request for Accommodations. Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before your hearing. Contact the clerk's office for *Request for Accommodation*, Form MC-410. (Civil Code, § 54.8.)

Clerk's Certificate of Service

I certify that I am not involved in this case and (check one):

- ☐ I handed a copy of this Order to the party and attorney, if any, listed in (1) and (2), at the court, on the date below.
- ☐ This order was mailed first class, postage paid, to the party and attorney, if any, at the addresses listed in (1) and (2), from (city): _____, California on the date below.
- ☐ A certificate of mailing is attached.

Date: _____

Clerk, by _____, Deputy
Name: _____

This is a Court Order.

CONFIDENTIAL (DO NOT ATTACH TO PETITION)

GC-312

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CONSERVATORSHIP OF (name):	
PROPOSED CONSERVATEE	
CONFIDENTIAL SUPPLEMENTAL INFORMATION ☐ Limited Conservatorship of the ☐ Person ☐ Estate	CASE NUMBER:
1. a. Proposed conservatee (name):	HEARING DATE:
b. Date of birth:	DEPT.:
c. Age:	TIME:
d. Social security number:	

2. I, the person completing this form, am the (check each that applies) ☐ petitioner ☐ proposed conservator in this proceeding.

3. ☐ **ABILITY TO PROVIDE PROPERLY FOR PERSONAL NEEDS*** The following facts and circumstances supplement and support the petition's assertions that the proposed conservatee is unable to provide properly for personal needs for physical health, food, clothing, or shelter (specify in detail, expanding on the reasons in the petition; give specific examples *from the proposed conservatee's daily life showing significant, ongoing behavior patterns*):
- a. Physical health (give examples showing the proposed conservatee's inability to move and exercise, maintain personal hygiene, make and attend routine medical appointments, take medication as prescribed, etc.):

☐ Continued in Attachment 3a.

- b. Food (give examples showing the proposed conservatee's inability to eat or drink, prepare food, shop for food, etc.):

☐ Continued in Attachment 3b.

- c. Clothing (give examples showing the proposed conservatee's inability to get dressed, do laundry, shop for clothing, etc.):

☐ Continued in Attachment 3c.

- d. Shelter (give examples showing the proposed conservatee's inability to pay rent or mortgage, pay utility bills, keep house, etc.):

☐ Continued in Attachment 3d.

* If any part of item 3 does not apply to the proposed conservatorship, skip it, check box 3 in item 10, and explain why it does not apply.

Page 1 of 4

CONSERVATORSHIP OF <i>(name):</i>	CASE NUMBER:
PROPOSED CONSERVATEE	

4. ☐ **ABILITY TO MANAGE OWN FINANCIAL RESOURCES*** The following facts and circumstances supplement and support the petition's assertions that the proposed conservatee is substantially unable to manage that person's own financial resources or to resist fraud or undue influence (*specify in detail, expanding on the reasons in the petition; give specific examples from the proposed conservatee's daily life showing significant, ongoing behavior patterns*):

a. Financial resources (*give examples of the proposed conservatee's substantial inability to manage money or property*):

☐ Continued in Attachment 4a.

b. Fraud or undue influence (*give examples of the proposed conservatee's substantial inability to resist fraud or undue influence*):

☐ Continued in Attachment 4b.

* If any part of item 4 does not apply to the proposed conservatorship, skip it, check box 4 in item 10, and explain why it does not apply.

5. **RESIDENCE** (*A "residence" is the place a person would tend to describe as "home," for example, an owned or rented single-family house or an apartment in a multiunit building, or an assisted-living, board-and-care, skilled-nursing, or other long-term care facility.*)

a. The proposed conservatee's **residence** is a (*nature of residence; see above for examples*):

b. The proposed conservatee's **residence** is located at (*street address, city, state*):

c. The proposed conservatee is **currently located at** ☐ the residence in item 5b ☐ other (*street address, city, state*):

d. The proposed conservatee's **current location** is a (*nature of current location; see above for examples*):

e. **Ability to live in residence** The proposed conservatee is

(1) ☐ **living** in the residence, and

(a) ☐ is able to continue living there unless circumstances change.

(b) ☐ will need to be moved after a conservator is appointed (*give specific reasons in item 5f*).

(c) ☐ other (*specify and give reasons in item 5f*).

(2) ☐ **not living** in the residence, and

(a) ☐ will be able to return home by _____ (*explain in item 5f*).

(b) ☐ will not return to live there (*give specific reasons in item 5f*).

(c) ☐ other (*specify and give reasons in item 5f*).

f. Specific reasons supporting the determination in item 5e about the proposed conservatee's ability to live in the residence:

☐ Continued in Attachment 5f.

CONSERVATORSHIP OF <i>(name):</i>	CASE NUMBER:
PROPOSED CONSERVATEE	

6. **ALTERNATIVES TO CONSERVATORSHIP** I have considered the following alternatives to conservatorship. For each alternative, below, either (1) I have attempted that alternative for the length of time and in the manner described and have determined for the reasons explained below that it is unsuitable or does not meet the proposed conservatee's needs; or (2) I have not attempted that alternative and have determined for the reasons explained below that it is unsuitable or does not meet the proposed conservatee's needs and therefore should not be attempted.

a. A supported decisionmaking agreement, as defined in Welfare and Institutions Code section 21001

☐ Continued in Attachment 6a.

b. Designation of a health care surrogate under Probate Code section 4711

☐ Continued in Attachment 6b.

c. An advance health care directive under Probate Code section 4600 et seq.

☐ Continued in Attachment 6c.

d. A power of attorney (general or limited, durable or nondurable) under Probate Code section 4000 et seq.

☐ Continued in Attachment 6d.

e. A trust, as defined in Probate Code section 82

☐ Continued in Attachment 6e.

f. Other alternatives considered or attempted

☐ Continued in Attachment 6f.

CONSERVATORSHIP OF <i>(name):</i>	CASE NUMBER:
PROPOSED CONSERVATEE	

7. HEALTH OR SOCIAL SERVICES PROVIDED *(complete all that apply):*

- a. ☐ In the year immediately before the petition was filed, the proposed conservatee received the following **health services**, for example, doctor's visits, medical testing, hospitalizations, surgeries, administration of medication, wound care, or therapy. *(describe the services and the circumstances in which they were provided; if none were provided, state "none"):*

☐ Continued in Attachment 7a.

- b. ☐ In the year immediately before the petition was filed, the proposed conservatee received the following **social services**, for example, companionship, assistance with personal hygiene, housekeeping, shopping, cooking, or assistance managing finances. *(describe the services and the circumstances in which they were provided; if none were provided, state "none"):*

☐ Continued in Attachment 7b.

- c. ☐ I do not know, and cannot reasonably find out, what, if any, ☐ health services ☐ social services were provided to the proposed conservatee in the year immediately before the petition was filed.

8. KNOWLEDGE AND PREFERENCES The proposed conservatee *(check all that apply)*

- ☐ knows about ☐ does not know about the proposed conservatorship. ☐ I don't know.
☐ agrees with ☐ does not agree with the proposed conservatorship. ☐ I don't know. ☐ Not applicable.

9. SOURCE OF INFORMATION The facts, circumstances, and conclusions stated on this form are based, *(check all that apply)*

- a. in item 3, on ☐ my own personal knowledge ☐ an affidavit (declaration) by another person, attached as Attachment 3.
 b. in item 4, on ☐ my own personal knowledge ☐ an affidavit (declaration) by another person, attached as Attachment 4.
 c. in item 5, on ☐ my own personal knowledge ☐ an affidavit (declaration) by another person, attached as Attachment 5.
 d. in item 6, on ☐ my own personal knowledge ☐ an affidavit (declaration) by another person, attached as Attachment 6.
 e. in item 7, on ☐ my own personal knowledge ☐ an affidavit (declaration) by another person, attached as Attachment 7.
 f. in item 8, on ☐ my own personal knowledge ☐ an affidavit (declaration) by another person, attached as Attachment 8.

10. ITEMS THAT DO NOT APPLY The following items on this form, or parts of those items, do not apply to the proposed conservatorship. *(for each item checked, explain why that item or part of an item does not apply):* ☐ 3 ☐ 4

☐ Continued on Attachment 10.

11. Number of pages attached: _____

DECLARATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)		(SIGNATURE)
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CONFIDENTIAL (DO NOT ATTACH TO PETITION)

GC-314

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
CONSERVATORSHIP OF _____ (Name): _____ PROPOSED CONSERVATEE	CASE NUMBER: _____
CONFIDENTIAL CONSERVATOR SCREENING FORM Conservatorship of ☐ Person ☐ Estate ☐ Limited Conservatorship	HEARING DATE AND TIME: _____ DEPT.: _____

The proposed conservator must complete and sign this form. The person requesting appointment of a conservator must submit the completed and signed form to the court with the conservatorship petition. This form must remain confidential.

How This Form Will Be Used

This form is **confidential** and will not be a part of the public file in this case. Each proposed conservator must complete and sign a separate copy of this form under rule 7.1050 of the California Rules of Court. The information provided in this form will be used by the court and by the persons and agencies designated by the court to assist the court in determining whether to appoint the proposed conservator as conservator. The proposed conservator **must** respond to each item.

1. a. **Proposed conservator (name):**
 b. Date of birth: _____
 c. Social security number: _____ d. Driver's license number: _____ State: _____
 e. Telephone numbers: Home: _____ Work: _____ Other: _____
2. a. ☐ I am related to the proposed conservatee as (specify relationship): _____
 b. ☐ I have personally known the proposed conservatee for: _____ years, _____ months.
3. ☐ I was ☐ I was not nominated as conservator of the ☐ person ☐ estate of the proposed conservatee, by ☐ the proposed conservatee. ☐ the spouse or registered domestic partner of the proposed conservatee. ☐ a parent of the proposed conservatee (If you checked "I was," provide documentation in Attachment 3.)
4. a. ☐ I am the spouse of the proposed conservatee. ☐ I have ☐ I have not filed for legal separation, dissolution of marriage, annulment, or adjudication of nullity of the marriage. (If you checked "I have," explain in Attachment 4.)
 b. ☐ I am not the spouse of the proposed conservatee.
5. a. ☐ I am the registered domestic partner of the proposed conservatee. ☐ I do not ☐ I do intend to terminate my domestic partnership with the proposed conservatee. (If you checked "I do," explain in Attachment 5.)
 b. ☐ I am a former domestic partner of the proposed conservatee. My domestic partnership with the proposed conservatee was terminated on (date): _____ . (Explain circumstances in Attachment 5.)
 c. ☐ I am neither a current nor former domestic partner of the proposed conservatee.
6. a. ☐ I do ☐ I do not owe money or have a financial obligation to the proposed conservatee. (If you checked "I do," explain in Attachment 6.)
 b. The proposed conservatee ☐ does ☐ does not owe money or have a financial obligation to me. (If you checked "does," explain in Attachment 6.)
 c. ☐ I am ☐ I am not an agent for a creditor of the proposed conservatee. (If you checked "I am," explain in Attachment 6.)

Page 1 of 2

CONSERVATORSHIP OF (Name): 	CASE NUMBER:
PROPOSED CONSERVATEE	

7. ☐ I have ☐ I have not filed for bankruptcy protection within the last 10 years. *(If you checked "I have," explain in Attachment 7.)*
8. ☐ I have ☐ I have not been convicted of a felony or had a felony expunged from my record. *(If you checked "I have," explain in Attachment 8.)*
9. ☐ I have ☐ I have not been charged with, arrested for, or convicted of embezzlement, theft, or any other crime involving the taking of property. *(If you checked "I have," explain in Attachment 9.)*
10. ☐ I have ☐ I have not been charged with, arrested for, or convicted of a crime involving fraud, conspiracy, or misrepresentation of information. *(If you checked "I have," explain in Attachment 10.)*
11. ☐ I have ☐ I have not been charged with, arrested for, or convicted of any form of elder abuse or neglect. *(If you checked "I have," explain in Attachment 11.)*
12. ☐ I have ☐ I have not had a restraining order or protective order filed against me in the last 10 years. *(If you checked "I have," explain in Attachment 12.)*
13. ☐ I am ☐ I am not required to register as a sex offender under California Penal Code section 290. *(If you checked "I am," explain in Attachment 13.)*
14. ☐ I have ☐ I have not previously been appointed conservator, executor, or fiduciary in another proceeding. *(If you checked "I have," explain in Attachment 14.)*
15. ☐ I have ☐ I have not been removed or resigned as a conservator, guardian, executor, or fiduciary in any other case. *(If you checked "I have," explain in Attachment 15.)*
16. ☐ I have or may have ☐ I do not have an adverse interest that the court may consider to be a risk to, or to have an effect on, my ability to faithfully perform the duties of conservator. *(If you checked "I have or may have," explain in Attachment 16.)*
17. ☐ I am ☐ I am not a private professional fiduciary, as defined in Business and Professions Code section 6501(f). *(If you checked "I am," respond to item 18. If you checked "I am not," go to item 19.)*
18. ☐ I am ☐ I am not currently licensed by the Professional Fiduciaries Bureau of the Department of Consumer Affairs. My license status and information is stated in item 1 on page 1 of the Professional Fiduciary Attachment signed by me and attached to the petition that proposes my appointment as conservator in this matter. *(Complete and sign the Professional Fiduciary Attachment and attach it to the petition, or deliver it to the petitioner for attachment, before the petition is filed. See item 3c(7) of the petition. Use form GC-210(A-PF)/GC-310(A-PF) for this attachment.)*
19. ☐ I am ☐ I am not a responsible corporate officer authorized to act for (name of corporation):

 a California nonprofit charitable corporation that meets the requirements for appointment as conservator of the proposed conservatee under Probate Code section 2104. I certify that the corporation's articles of incorporation specifically authorize it to accept appointments as conservator. *(If you checked "I am," explain the circumstances of the corporation's care of, counseling of, or financial assistance to the proposed conservatee in Attachment 19.)*
20. Do you, or does any other person living in your home, have a social worker or parole or probation officer assigned to him or her?
☐ Yes ☐ No *(If you checked "Yes," explain in Attachment 20 and provide the name, address, and telephone number of each social worker, parole officer, or probation officer.)*

DECLARATION

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME OF PROPOSED CONSERVATOR)	(SIGNATURE OF PROPOSED CONSERVATOR)*
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*Each proposed conservator must fill out and file a separate screening form.

CONSERVATORSHIP OF <i>(name):</i> _____ CONSERVATEE	CASE NUMBER: _____
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ABOUT THE CONSERVATOR (*continued*)

3. List any other residences for the last five years: _____

4. If you own your home, provide details: Lending Institution (*name and address*): _____
 Purchase price: \$ _____ Estimated market value: \$ _____ Balance owed: \$ _____
5. Expenses:
- Rent / Mortgage: \$ _____ /mo. Gas: \$ _____ /mo. Propane: \$ _____ /mo.
 Electricity: \$ _____ /mo. Garbage: \$ _____ /mo. Water: \$ _____ /mo.
 Home phone: \$ _____ /mo. Cell phone: \$ _____ /mo. Internet: \$ _____ /mo.
 Other: \$ _____ /mo. Explain: _____
6. List all persons who reside with you on a daily or part-time basis (*including the conservatee*):

Full Name:	DOB:	Daytime Telephone:	Relationship:
Full Name:	DOB:	Daytime Telephone:	Relationship:
Full Name:	DOB:	Daytime Telephone:	Relationship:
Full Name:	DOB:	Daytime Telephone:	Relationship:

7. Have you ever been served with a *Three-Day Notice to Pay Rent or Quit Possession of Real Property* pursuant to an oral or written agreement for the rental of residential real property? ☐ No ☐ Yes. If yes, provide the date plus name and address of the lessor or landlord: _____

Income & Benefits:

8. Employment: \$ _____ /mo. Commissions: \$ _____ /mo. Investments: \$ _____ /mo.
 Income from insurance settlement(s) / annuity: \$ _____ /mo. Other income sources: \$ _____ /mo.
 If other income source, explain: _____
9. Do you have checking or savings accounts? ☐ No ☐ Yes If yes, provide details below:

Account type:	Balance:
Account type:	Balance:

10. Investment Broker (*name and address*): _____

CONSERVATORSHIP OF <i>(name):</i> _____	CASE NUMBER: _____
CONSERVATEE	

ABOUT THE CONSERVATOR (continued)

11. Public assistance: \$ _____/mo. Social Security: \$ _____/mo. Disability: \$ _____/mo.
 Veteran's Benefits: \$ _____/mo. Other Benefit: \$ _____/mo.
 If other, explain: _____

Debts:

12. Describe all long-term debt other than mortgage listed above (*include second, third, and fourth mortgages, vehicles, business property, rental property, etc.*): _____

13. List all short-term debt including each credit card debt, debt to private parties or family members, etc. Indicate name of creditor and balance owed (*do not include bankruptcy debt*): _____

14. Have you ever been sued? ☐ No ☐ Yes If yes, explain: _____

15. Have you ever sued another person or entity, either individually or on behalf of an entity? ☐ No ☐ Yes If yes, explain: _____

Health:

16. Do you have health insurance? ☐ No ☐ Yes If yes, provide insurance carrier name: _____
 My health insurance covers: ☐ Medical ☐ Dental ☐ Vision
17. Health Status: ☐ Good ☐ Fair ☐ Poor If fair or poor, explain: _____
18. Are you taking any medication (*prescription or over-the-counter*)? ☐ No ☐ Yes If yes, list types and indicate reason: _____

19. List any special health problems: _____
20. Have you ever had a problem with: ☐ Drugs (*prescription or illegal*) ☐ Alcohol ☐ Mental / Emotional problems
 If yes, explain: _____

Education:

21. Highest level completed: _____ Age left school: _____ Degree(s) achieved: _____
 Last school attended: _____ Last year attended: _____
 Reason for leaving: _____

CONSERVATORSHIP OF (name):	CASE NUMBER:
CONSERVATEE	

ABOUT THE CONSERVATOR (continued)

Employment:

22. List your current employer and all employers over the last five years:

Name and address (current employer):		
Telephone No.:	Job description:	
Date Began:		
Name and address:		
Telephone No.:	Job description:	
Date Began:	Date Left:	Reason for leaving:
Name and address:		
Telephone No.:	Job description:	
Date Began:	Date Left:	Reason for leaving:
Name and address:		
Telephone No.:	Job description:	
Date Began:	Date Left:	Reason for leaving:

Vehicles:

23. Provide the following information for each vehicle you own:

Year:	Make:	Model:	License Plate No.:
Name on Registration:		Year Insured:	
Type of Coverage:		Amount of Coverage:	
Year:	Make:	Model:	License Plate No.:
Name on Registration:		Year Insured:	
Type of Coverage:		Amount of Coverage:	

Criminal History:

24. Have you ever been arrested or convicted for any crime other than a traffic infraction? (*Note: This question must be answered even if you were only arrested and not convicted, or if convicted, the charges were thereafter dismissed and the record ordered sealed. Include arrests for driving under the influence of alcohol or a controlled substance.*) ☐ No ☐ Yes

If yes, provide the reason for the arrest / charges, whether you were convicted, year, county, and state:

If convicted, what was the sentence? _____ Release date: _____

CONSERVATORSHIP OF (name): _____ CONSERVATEE	CASE NUMBER: _____
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ABOUT THE CONSERVATOR (continued)

25. Are you currently or have you ever been on probation or parole? ☐ No ☐ Yes

If yes, explain: _____

Name of Probation or Parole Officer: _____ Telephone No.: _____

26. Are you the plaintiff or defendant in any current or pending criminal or civil matter? ☐ No ☐ Yes

If yes, explain: _____

27. Have you ever applied for a domestic violence restraining order or had one issued against you? ☐ No ☐ Yes

If yes, explain: _____

28. Have you ever been the victim or perpetrator of physical, verbal, emotional, psychological, or sexual abuse? ☐ No ☐ Yes

If yes, explain: _____

Relationship to the Conservatee:

29. Relative Conservators: How are you related to the Conservatee? _____

30. Non-relative Conservators: How did you become acquainted with the Conservatee? _____

31. How long have you known the Conservatee? _____

32. What has been the nature and frequency of contact with the Conservatee prior to petitioning the Court for conservatorship?

ABOUT THE CONSERVATEE

1. Name: _____

Physical Address: _____

Mailing Address: _____

Daytime Telephone No.: _____ Cell: _____ Email: _____

Primary Language: ☐ English ☐ Spanish ☐ Other: _____

Will the conservatee need an Interpreter at the Court hearing? ☐ Yes ☐ No

Marital status: ☐ Single ☐ Married ☐ Separated ☐ Divorced ☐ Remarried ☐ Widowed ☐ Domestic partners

☐ Currently living apart from spouse. If living apart, explain: _____

2. Conservatee's health insurance: ☐ Private insurance ☐ Tri-Care ☐ Medi-Cal ☐ Medicare ☐ Other: _____

CONSERVATORSHIP OF <i>(name):</i> _____ CONSERVATEE	CASE NUMBER: _____
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ABOUT THE CONSERVATEE (continued)

3. Is the Conservatee a client of a Regional Center? ☐ No ☐ Yes If yes, provide details below:
 Regional Center (*name and address*): _____
 Case Manager: _____ Telephone No.: _____
 Date of last *Individual Program Plan* review: _____
 The Conservator was ☐ present in person ☐ present by phone ☐ not present
 If Conservator did not participate, explain: _____
4. Does the Conservatee attend school or an Employment / Day Program / Training Site? ☐ No ☐ Yes If yes, provide details:
 Name and Address: _____
 Usual hours and days of attendance: _____
 School / Program / Employer / Contact person: _____ Telephone No.: _____
5. List all residences / placements of the Conservatee for the last 5 years: _____

6. It is necessary to change the residence of the Conservatee now? ☐ No ☐ Yes
 If yes, explain: _____
7. Does the Conservator work for the Conservatee in any capacity (*health care, housekeeping, etc.*)? ☐ No ☐ Yes
 If yes, explain: _____
8. Will the Conservator be available to transport the Conservatee to medical, dental, optical, audiological, psychiatric, or other appointments? ☐ Yes ☐ No If no, explain how these needs will be met: _____

9. Who will manage the Conservatee's money and pay the bills? _____
10. List persons who have access to the personal mail, bank statements, or other financial records or information of the Conservatee:
- | | | |
|-------|--------------------|---------------|
| Name: | Daytime Telephone: | Relationship: |
| | | |
| Name: | Daytime Telephone: | Relationship: |
| | | |
11. Does a *Durable Power of Attorney* or a *Durable Power of Attorney for Health Care* exist? ☐ No ☐ Yes
12. If yes, where is it located? _____ When was it signed? _____
 Who is named with powers? _____

CONSERVATORSHIP OF <i>(name):</i> _____ CONSERVATEE	CASE NUMBER: _____
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ABOUT THE CONSERVATEE (continued)

13. Does the Conservatee have a Will? ☐ No ☐ Yes

If yes, where is the will located? _____ When was it signed? _____

List all beneficiaries and their relationship to the Conservatee:

Name:	Relationship:
Name:	Relationship:

14. Does the Conservatee have a Trust(s)? ☐ No ☐ Yes If yes, mark one: ☐ Revocable ☐ Irrevocable

If yes, provide the following: Preparer of Trust (*name*): _____ Date of Trust: _____

Named Trustee(s): _____

List assets and value in Trust:

Asset:	Value:
Asset:	Value:

15. Is the Conservatee the beneficiary of a Trust? ☐ No ☐ Yes If yes: ☐ Revocable or ☐ Irrevocable

If yes, provide the following: Preparer of Trust (*name*): _____ Date of Trust: _____

Named Trustee(s): _____

Nature of beneficial interest for the Conservatee: _____

16. Is the Conservatee's spouse or registered domestic partner deceased? ☐ No ☐ Yes If yes, date of death: _____

Was there community property? _____

Was there a Will? ☐ No ☐ Yes If yes, provide details below:

Has a probate petition of the Will been filed? ☐ No ☐ Yes If yes, where? _____

Will a probate petition of the Will be filed? ☐ No ☐ Yes If yes, where? _____

CONSERVATORSHIP OF (name):	CASE NUMBER:
CONSERVATEE	

RELATIVES OF THE CONSERVATEE

If a relative listed below is deceased, enter their name and enter the word *deceased* in the mailing address section. Include date of death if known:

Father	Name:	Daytime Telephone:
	Mailing Address:	
Mother	Name:	Daytime Telephone:
	Mailing Address:	
Spouse or Registered Domestic Partner	Name:	Daytime Telephone:
	Mailing Address:	
Adult Child	Name:	Daytime Telephone:
	Mailing Address:	
Adult Child	Name:	Daytime Telephone:
	Mailing Address:	
Brother	Name:	Daytime Telephone:
	Mailing Address:	
Brother	Name:	Daytime Telephone:
	Mailing Address:	
Sister	Name:	Daytime Telephone:
	Mailing Address:	
Sister	Name:	Daytime Telephone:
	Mailing Address:	
Grandfather	Name:	Daytime Telephone:
	Mailing Address:	
Grandfather	Name:	Daytime Telephone:
	Mailing Address:	
Grandmother	Name:	Daytime Telephone:
	Mailing Address:	

CONSERVATORSHIP OF <i>(name):</i>	CASE NUMBER:
CONSERVATEE	

RELATIVES OF THE CONSERVATEE (*continued*)

Grandmother	Name:	Daytime Telephone:
	Mailing Address:	
Adult Grandchild	Name:	Daytime Telephone:
	Mailing Address:	
Adult Grandchild	Name:	Daytime Telephone:
	Mailing Address:	
Relative pursuant to PC Section 1821(b)	Name:	Daytime Telephone:
	Mailing Address:	
Relative pursuant to PC Section 1821(b)	Name:	Daytime Telephone:
	Mailing Address:	

NEIGHBORS AND CLOSE FRIENDS OF THE CONSERVATEE:

Neighbor	Name:	Daytime Telephone
	Mailing Address:	
Neighbor	Name:	Daytime Telephone
	Mailing Address:	
Close Friend	Name:	Daytime Telephone
	Mailing Address:	
Close Friend	Name:	Daytime Telephone
	Mailing Address:	

Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)



(SIGNATURE OF PERSON COMPLETING THIS FORM)

CONFIDENTIAL

GC-335

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):		FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF (name): ☐ CONSERVATEE ☐ PROPOSED CONSERVATEE		CASE NUMBER:
CONFIDENTIAL CAPACITY ASSESSMENT AND DECLARATION—PROBATE CONSERVATORSHIP		HEARING DATE: TIME: DEPT. or ROOM:
This form is intended to record the results of a capacity assessment of the person named in item 2, to describe the assessing clinician's conclusions about the person's mental functioning and capacity, and to submit the results and conclusions under oath to the court. The petitioner completes items 1 and 2 to give instructions to the clinician. The clinician completes the remainder of the form.		

PETITIONER'S INSTRUCTIONS TO CLINICIAN

1. **Assessments requested.** In addition to completing Parts I and II (pages 2–4), please complete the following items in Part III (pages 5–6) to assess the person's ability to perform the action or capacity to make the decision indicated (*check all that apply*):
- ☐ Item 20: Give or withhold informed consent to medical treatment specified in the petition. (Prob. Code §§ 811, 813, 2357.)
 - ☐ Item 21: Give or withhold informed consent to medical treatment generally. (*Id.*, §§ 811, 1880–1891, 2355.)
 - ☐ Item 22: Give or withhold informed consent to placement in a secured-perimeter (locked) residential care facility for the elderly. (*Id.*, §§ 811, 2356.5.)
 - ☐ Item 23: Give or withhold informed consent to administration of medication appropriate for care and treatment of major neurocognitive disorders (e.g., dementia). (*Id.*, §§ 811, 813, 2356.5.)

Note to petitioner: Provide a copy of the petition to the clinician who will be assessing the person named in item 2 for the clinician's reference. Do **not** attach *Confidential Supplemental Information* (form GC-312).

2. **Person to be assessed**

- Name:
- Address:
Telephone number: Email address:
- Date of birth:
- Highest level of education completed (*grade or degree*):
- Marital or partnership status: ☐ single ☐ married/partnered ☐ dissolved ☐ widowed
- Preferred language: ☐ speaks ☐ reads ☐ writes

TO THE CLINICIAN: Provide your contact and license information below.

3. a. Name:
b. Office address:
Telephone number: Email address:
4. a. ☐ I am a California-licensed physician. License no:
b. ☐ I am a California-licensed psychologist practicing within the scope of my license. License no:
☐ I have at least two years' experience diagnosing major neurocognitive disorders (including dementia).
c. I have been practicing as a licensed physician or psychologist for _____ years.

Page 1 of 6

CONFIDENTIAL

GC-335

CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF (name): ☐ CONSERVATEE ☐ PROPOSED CONSERVATEE	CASE NUMBER:
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Information about the assessment

5. a. The person named in item 2 ☐ is ☐ is **not** a patient under my continuing care and treatment.
b. I have known this person for (specify length of time in months or years):
6. a. Date of the examination on which this assessment is based or, if based on multiple examinations, the date I most recently examined the person:
b. Time spent in most recent examination:
7. My responses to the questions and prompts on this form are based on (check all that apply):
- a. ☐ My examination of this person for the purpose of assessing the person's abilities and capacities.
b. ☐ Multiple examinations of this person for purposes of general health care and medical treatment.
c. ☐ Administration of standardized examinations or tools that measure the person's mental functioning. All tests administered and dates of administration are listed ☐ below ☐ in Attachment 7c.
- d. ☐ My review of the person's medical records.
e. ☐ Discussions with other practitioners responsible for providing health care to the person. These discussions are described ☐ below ☐ in Attachment 7e.
- f. ☐ Discussions with team members or other professionals who participated in the person's assessment. These discussions are described ☐ below ☐ in Attachment 7f.
- g. ☐ Discussions with the person's family or friends; names and relationships are given ☐ below ☐ in Attachment 7g.
- h. ☐ Other sources of information, which are described ☐ below ☐ in Attachment 7h.

REPORT OF ASSESSMENT

If a question or prompt does not apply to an ability or capacity checked in item 1 or your assessment does not address a question or prompt, please check the appropriate box in that item or, if there is no box, leave the item blank. Secure or destroy your copy of the petition. Do not send it to the court.

PART I. GENERAL PHYSICAL AND MENTAL HEALTH This part describes the general state of the physical and mental health of the person named in item 2. ☐ Information focused on the effect of the person's health on their mental function is given in items 16–18.

8. Physical health

- a. Overall physical health is: ☐ Excellent ☐ Good ☐ Fair ☐ Poor ☐ I don't know
b. Overall physical health is likely to: ☐ Improve ☐ Remain stable ☐ Deteriorate ☐ I don't know
☐ The person should be reevaluated in _____ weeks.
c. Chronic conditions that require ongoing care and treatment are listed ☐ below ☐ in Attachment 8c.

9. Mental health

- a. Overall mental health is: ☐ Excellent ☐ Good ☐ Fair ☐ Poor ☐ I don't know
b. Overall mental health is likely to: ☐ Improve ☐ Remain stable ☐ Deteriorate ☐ I don't know
☐ The person should be reevaluated in _____ weeks.
c. All known diagnosed mental health disorders (current *Diagnostic and Statistical Manual of Mental Disorders*) are listed ☐ below ☐ in Attachment 9c.

CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF (name): ☐ CONSERVATEE ☐ PROPOSED CONSERVATEE	CASE NUMBER:
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PART II. MENTAL FUNCTIONING This part documents the existence and extent of any deficits found by my assessment of the mental functioning of the person described in item 2. Deficits are indicated in items 10–14 as follows:

a = no deficit; **b** = mild deficit; **c** = moderate deficit; **d** = major deficit or no function; **e** = not applicable or not assessed

10. Alertness and attention (ability to recognize and react to a stimulus)

- a. Level of arousal or consciousness (deficit may be shown by lethargy, lack of response without constant stimulation, or stupor) ☐ a ☐ b ☐ c ☐ d ☐ e
- b. Orientation to:
- (1) Time (When? Year, month, day, hour)
 (2) Place (Where? State, city, address)
 (3) Person (Who? Name, relationship)
 (4) Situation (What? How? Why?)

☐ a ☐ b ☐ c ☐ d ☐ e
☐ a ☐ b ☐ c ☐ d ☐ e
☐ a ☐ b ☐ c ☐ d ☐ e
☐ a ☐ b ☐ c ☐ d ☐ e
- c. Ability to attend to and concentrate on tasks (ability to attend to a stimulus; concentrate on a stimulus over brief time periods) ☐ a ☐ b ☐ c ☐ d ☐ e

Notes:

11. Information processing

- a. Memory
- (1) Immediate recall
 (2) Short-term memory and learning (the ability to encode, store, and retrieve information)
 (3) Long-term memory (ability to remember information from the past)

☐ a ☐ b ☐ c ☐ d ☐ e
☐ a ☐ b ☐ c ☐ d ☐ e
☐ a ☐ b ☐ c ☐ d ☐ e
- b. Understanding (the ability to receive and accurately process information given in written, spoken, visual, or other media) ☐ a ☐ b ☐ c ☐ d ☐ e
- c. Communication (the ability to express oneself and indicate preferences in speech, writing, signs, pictures, etc.) ☐ a ☐ b ☐ c ☐ d ☐ e
- d. Visual-spatial reasoning (recognition of familiar objects; spatial perception, problem solving, and design) ☐ a ☐ b ☐ c ☐ d ☐ e
- e. Quantitative reasoning (the ability to understand basic quantities and make simple calculations) ☐ a ☐ b ☐ c ☐ d ☐ e
- f. Verbal reasoning (the ability to compare options, to reason using abstract concepts, and to reason logically about outcomes) ☐ a ☐ b ☐ c ☐ d ☐ e
- g. Executive functioning (the ability to plan, organize, and carry out actions (assuming physical ability) in one's own rational self-interest) ☐ a ☐ b ☐ c ☐ d ☐ e

Notes:

12. Thought disorders

- a. Organization of thinking (deficit may be demonstrated by severely disorganized, nonsensical, or incoherent thinking) ☐ a ☐ b ☐ c ☐ d ☐ e
- b. Correspondence of thoughts to reality (deficit may be demonstrated by hallucinations or delusions) ☐ a ☐ b ☐ c ☐ d ☐ e
- c. Control of thoughts (deficit may be demonstrated by uncontrollable, repetitive, or intrusive thoughts) ☐ a ☐ b ☐ c ☐ d ☐ e

Notes:

CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF (name): ☐ CONSERVATEE ☐ PROPOSED CONSERVATEE	CASE NUMBER:
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a = no deficit; **b** = mild deficit; **c** = moderate deficit; **d** = major deficit or no function; **e** = not applicable or not assessed

13. **Ability to modulate mood and affect** (deficit may be demonstrated by pervasive and persistent or recurrent mood or affect inappropriate in kind or degree to the circumstances) ☐ a ☐ b ☐ c ☐ d ☐ e

Notes:

14. **Ability to accept and cooperate with appropriate care or assistance** (deficit may be demonstrated by inability to acknowledge illness or disorder, acting without regard for consequences, or inability or refusal to accept appropriate care) ☐ a ☐ b ☐ c ☐ d ☐ e

Notes:

15. **Variation** (some or all of the deficits noted above vary in frequency, severity, or duration):

☐ Yes ☐ No ☐ I don't know Variation of deficits is described ☐ below ☐ in Attachment 15.

Possible Temporary or Reversible Causes of Mental Function Deficits

16. Medications

- a. Is the person currently taking any medication—prescription or nonprescription—that may impair the person's mental functioning?

☐ Yes ☐ No ☐ I don't know ☐ Not applicable

If yes, each of those medications, with dosage and treatment indications, is listed ☐ below ☐ in Attachment 16a.

Name	Dosage/Schedule	Indications
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- b. An explanation of the nature and severity of the impairment that each listed medication can cause is given

☐ below ☐ in Attachment 16b ☐ No medications listed.

17. **Reversible causes** Have temporary or reversible causes of mental impairment been considered, assessed, diagnosed, or treated?

☐ Yes ☐ No ☐ I don't know All causes considered are discussed ☐ below ☐ in Attachment 17.

18. **Physical or emotional factors** Are there physical or emotional factors (e.g., hearing, vision, or speech impairment; bereavement; or others) present that could diminish the person's capabilities and that could improve with time, treatment, or assistive devices?

☐ Yes ☐ No ☐ I don't know

☐ Applicable physical or emotional factors are described ☐ below ☐ in Attachment 18.

Effect on Ability to Perform Everyday Activities

19. In my professional opinion, the mental function deficits, if any, identified in items 10–14 ☐ will ☐ will not significantly impair the person's ability to perform some or all activities of daily living (e.g., eating, cooking, toileting, bathing, dressing) or instrumental activities of daily living (e.g., shopping, scheduling appointments, paying bills, using a credit card or checks, taking medication). More details about specific activities and reasons for my opinion are given (check all that apply):

☐ below ☐ in Attachment 19 ☐ in the attached *Everyday Activities Attachment* (form GC-335A).

☐ I do not have enough information to form an opinion on this issue.

CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF (name):	CASE NUMBER:
☐ CONSERVATEE ☐ PROPOSED CONSERVATEE	

PART III. CAPACITY TO GIVE OR WITHHOLD INFORMED CONSENT This part documents my professional conclusions about each issue checked in item 1. The conclusions are based on my assessment of the level of the person's mental functions described in Part II.

20. ☐ **Capacity to give or withhold informed consent to medical treatment specified in the petition** (Probate Code, § 2357.)

The following medical treatment has been recommended for the person (*describe*):

Based on my assessment of the person's applicable mental functions and abilities, it is my professional opinion that:

- a. ☐ The person **has** the capacity to give or withhold informed consent to the recommended medical treatment because the person can do **all** of the following: (1) respond knowingly and intelligently to questions about the treatment; (2) participate in the treatment decision by means of a rational thought process; and (3) understand (A) the nature and seriousness of the diagnosed disorder, (B) the nature of the recommended treatment, (C) the probable degree and duration of and benefits and risks of the recommended treatment, (D) the consequences of lack of treatment, and (E) the nature, risks, and benefits of any reasonable alternatives to the recommended treatment.
- b. ☐ The person **lacks** the capacity to give or withhold informed consent to the recommended medical treatment because the person **cannot do at least one** of the following: (1) respond knowingly and intelligently to questions about the treatment, (2) participate in the treatment decision by means of a rational thought process, or (3) understand at least one of the following: (A) the nature and seriousness of the diagnosed disorder, (B) the nature of the recommended treatment, (C) the probable degree and duration of and benefits and risks of the recommended treatment, (D) the consequences of lack of treatment, or (E) the nature, risks, and benefits of any reasonable alternatives to the recommended treatment.
☐ These conclusions are further explained ☐ below ☐ in Attachment 20b.

c. ☐ I do not have enough information to form an opinion on this issue.

21. ☐ **Capacity to give or withhold informed consent to medical treatment generally** (Probate Code, §§ 811, 1881.)

Based on my assessment of the person's applicable mental functions and abilities, it is my professional opinion that:

- a. ☐ The person **has** the capacity to give or withhold informed consent to medical treatment because the person can do **all** of the following: (1) respond knowingly and intelligently to questions about at least some forms of medical treatment; (2) participate in at least some treatment decisions by means of a rational thought process; and (3) understand (A) the nature and seriousness of some diagnosed disorders, (B) the nature of some recommended treatments, (C) the probable degree and duration of and benefits and risks of at least some forms of treatment, (D) the consequences of lack of at least some forms of treatment, and (E) the nature, risks, and benefits of any reasonable alternatives to at least some forms of treatment.
- b. ☐ The person **lacks** the capacity to give or withhold informed consent to any form of medical treatment because **either** (1) the person is unable to respond knowingly and intelligently to questions about their medical treatment **or** (2) the person is unable to participate in treatment decisions by means of a rational thought process, which means the person cannot understand at least one of the following: (A) the nature and seriousness of any illness, disorder, or defect that they have or may develop; (B) the nature of any medical treatment that is or may be recommended by their health-care providers; (C) the probable degree and duration of any benefits and risks of any medical intervention that is or may be recommended by the person's health-care providers and the consequences of lack of treatment; or (D) the nature, risks, and benefits of any reasonable alternatives.

The person's lack of capacity to give or withhold informed consent is linked to one or more mental function deficits described in Part II.

☐ These conclusions are further explained ☐ below ☐ in Attachment 21b.

c. ☐ I do not have enough information to form an opinion on this issue.

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GC-335

CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF (name): ☐ CONSERVATEE ☐ PROPOSED CONSERVATEE	CASE NUMBER:
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22. ☐ **Capacity to give or withhold informed consent to placement in a secured-perimeter residential facility for persons with major neurocognitive disorders** (Probate Code, § 2356.5.)
- a. ☐ The person has a major neurocognitive disorder (such as dementia) as defined in the current edition of the *Diagnostic and Statistical Manual of Mental Disorders*. See Part I of this form for more information.
- b. ☐ The person needs or would benefit from placement in a restricted and secure environment for the reasons (for example, wandering, violence, or rejecting care) explained ☐ below ☐ in Attachment 22b.
- c. Based on my assessment of the person's relevant mental functions and abilities, it is my professional opinion that:
- (1) ☐ The person **has** the capacity to give or withhold informed consent to this placement.
- (2) ☐ The person **lacks** the capacity to give or withhold informed consent to this placement. The mental function deficit or deficits described in Part II significantly impair the (proposed) conservatee's ability to understand and appreciate the consequences of giving consent to placement in a restricted, secured-perimeter residential facility.
☐ These conclusions are further explained ☐ below ☐ in Attachment 22c.
- d. ☐ The proposed placement in a locked or secured-perimeter facility ☐ is ☐ is **not** the least restrictive environment appropriate to the person's needs.
- e. ☐ I do not have enough information to form an opinion on this issue.
23. ☐ **Capacity to give or withhold informed consent to administration of medication for treatment of major neurocognitive disorders** (Probate Code, § 2356.5.)
- a. ☐ The person has a major neurocognitive disorder (such as dementia) as defined in the current edition of the *Diagnostic and Statistical Manual of Mental Disorders*. See Part I of this form for more information.
- b. ☐ The person needs or would benefit from appropriate medications for the care and treatment of major neurocognitive disorders (including dementia). Any medications and the need or potential benefit of each are described ☐ below ☐ in Attachment 23b.
- c. Based on my assessment of the person's relevant mental functions and abilities, it is my professional opinion that:
- (1) ☐ The person **has** the capacity to give or withhold informed consent to the administration of medications appropriate for the care and treatment of major neurocognitive disorders (including dementia).
- (2) ☐ The person **lacks** the capacity to give or withhold informed consent to the administration of medications appropriate to the care and treatment of major neurocognitive disorders (including dementia). The mental function deficit or deficits described in Part III significantly impair the (proposed) conservatee's ability to understand and appreciate the consequences of giving consent to the administration of medications for the care and treatment of major neurocognitive disorders (including dementia).
☐ These conclusions are further explained ☐ below ☐ in Attachment 23c.
- d. ☐ I do not have enough information to form an opinion on this issue.
24. ☐ Other information regarding my assessment of the person's mental functions, any deficits in those functions, and any resulting significant impairments to the person's ability to understand and appreciate the consequences of acts or decisions is given in Attachment 24.
25. Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

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GC-335A

CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF (name): ☐ CONSERVATEE ☐ PROPOSED CONSERVATEE	CASE NUMBER:
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EVERYDAY ACTIVITIES ATTACHMENT TO CONFIDENTIAL CAPACITY ASSESSMENT AND DECLARATION—PROBATE CONSERVATORSHIP (FORM GC-335)

This form is for optional use in a probate conservatorship proceeding, in conjunction with *Confidential Clinical Assessment and Declaration—Probate Conservatorship* (form GC-335), to indicate the ability of the person described in item 1 to perform activities of daily living and instrumental activities of daily living.

The person whose abilities are described on this form

1. a. Name:
b. Address:
Telephone number: Email address:
Date of birth:

The person who is completing this form

2. a. Name:
b. Office address:
Telephone number: Email address:
3. a. ☐ I am a California-licensed. ☐ physician ☐ psychologist ☐ nurse practitioner ☐ physician assistant
☐ registered nurse ☐ clinical social worker ☐ occupational therapist
☐ other licensed professional (*specify profession*):
b. My license number is:
4. Check the box or boxes that apply to you.
- a. ☐ I am the clinician who conducted the assessment of the person named in item 1 documented on the *Confidential Clinical Assessment and Declaration—Probate Conservatorship* (form GC-335) to which this form is attached, and I completed that form. The conclusions and opinions given in this form are based on the same assessment.
- b. ☐ I work or consult with the clinician who completed the *Confidential Clinical Assessment and Declaration—Probate Conservatorship* (form GC-335) to which this form is attached, and I participated in that clinician's assessment of the person named in item 1. The conclusions and opinions in this form are based on my participation in that assessment.
- c. ☐ The conclusions and opinions given in this form are based on the application of my knowledge, experience, and training to my personal observations of the person named in item 1, as described below.

Items 5–11 describe my conclusions about the ability of the person named in item 1 to perform activities in each of the listed categories based on information gathered as described in item 4.

Activities of Daily Living (care of self and related activities)

5. **Maintain adequate hygiene** (for example, bathing, grooming, dressing, caring for teeth, going to the toilet)
☐ Able; fully independent ☐ Able with advice and passive support ☐ Able only with active assistance ☐ Unable, even with assistance ☐ I don't know
Comments ☐ below ☐ in Attachment 5.

CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF (name): ☐ CONSERVATEE ☐ PROPOSED CONSERVATEE	CASE NUMBER:
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Activities of Daily Living (care of self and related activities)

6. Prepare meals and eat for adequate nutrition

- ☐ Able; fully independent
 ☐ Able with advice and passive support
 ☐ Able only with active assistance
 ☐ Unable, even with assistance
 ☐ I don't know
- Comments ☐ below ☐ in Attachment 6.

7. Identify abuse or neglect and protect self from harm

- ☐ Able; fully independent
 ☐ Able with advice and passive support
 ☐ Able only with active assistance
 ☐ Unable, even with assistance
 ☐ I don't know
- Comments ☐ below ☐ in Attachment 7.

Instrumental Activities of Daily Living

8. Financial (if appropriate, note dollar limits)

a. Protect and spend small amounts of cash

- ☐ Able; fully independent
 ☐ Able with advice and passive support
 ☐ Able only with active assistance
 ☐ Unable, even with assistance
 ☐ I don't know
- Comments ☐ below ☐ in Attachment 8a.

b. Manage and use checks; pay monthly bills

- ☐ Able; fully independent
 ☐ Able with advice and passive support
 ☐ Able only with active assistance
 ☐ Unable, even with assistance
 ☐ I don't know
- Comments ☐ below ☐ in Attachment 8b.

c. Enter into a contract (including, for example, to buy, sell, or lease real property or to obtain and use a credit card)

- ☐ Able; fully independent
 ☐ Able with advice and passive support
 ☐ Able only with active assistance
 ☐ Unable, even with assistance
 ☐ I don't know
- Comments ☐ below ☐ in Attachment 8c.

9. Resist fraud or undue influence (for example, has a history of being a victim of fraud or undue influence)

- ☐ Able; fully independent
 ☐ Able with advice and passive support
 ☐ Able only with active assistance
 ☐ Unable, even with assistance
 ☐ I don't know
- Comments ☐ below ☐ in Attachment 9.

10. Medical

a. Choose and direct caregivers

- ☐ Able; fully independent
 ☐ Able with advice and passive support
 ☐ Able only with active assistance
 ☐ Unable, even with assistance
 ☐ I don't know
- Comments ☐ below ☐ in Attachment 10a.

CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF (name):	CASE NUMBER:
☐ CONSERVATEE ☐ PROPOSED CONSERVATEE	

10. b. Admit self to health-care facility

- ☐ Able; fully independent
 ☐ Able with advice and passive support
 ☐ Able only with active assistance
 ☐ Unable, even with assistance
 ☐ I don't know
- Comments ☐ below ☐ in Attachment 10b.

c. Manage own medication (take proper dose as scheduled; refill or renew prescriptions as needed)

- ☐ Able; fully independent
 ☐ Able with advice and passive support
 ☐ Able only with active assistance
 ☐ Unable, even with assistance
 ☐ I don't know
- Comments ☐ below ☐ in Attachment 10c.

d. Contact help if ill or in an emergency

- ☐ Able; fully independent
 ☐ Able with advice and passive support
 ☐ Able only with active assistance
 ☐ Unable, even with assistance
 ☐ I don't know
- Comments ☐ below ☐ in Attachment 10d.

11. Home and community life

a. Maintain a reasonably safe and clean home or other living environment; arrange for home maintenance or repair

- ☐ Able; fully independent
 ☐ Able with advice and passive support
 ☐ Able only with active assistance
 ☐ Unable, even with assistance
 ☐ I don't know
- Comments ☐ below ☐ in Attachment 11a.

b. Recognize and avoid common hazards (for example, a hot stove or poisons)

- ☐ Able; fully independent
 ☐ Able with advice and passive support
 ☐ Able only with active assistance
 ☐ Unable, even with assistance
 ☐ I don't know
- Comments ☐ below ☐ in Attachment 11b.

c. Access transportation (for example, drive a car or use public transportation)

- ☐ Able; fully independent
 ☐ Able with advice and passive support
 ☐ Able only with active assistance
 ☐ Unable, even with assistance
 ☐ I don't know
- Comments ☐ below ☐ in Attachment 11c.

a. Initiate and follow a schedule of daily activities

- ☐ Able; fully independent
 ☐ Able with advice and passive support
 ☐ Able only with active assistance
 ☐ Unable, even with assistance
 ☐ I don't know
- Comments ☐ below ☐ in Attachment 11d.

CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF (name): ☐ CONSERVATEE ☐ PROPOSED CONSERVATEE	CASE NUMBER:
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12. ☐ Other information regarding my assessment of the person's ability to perform activities of daily living or instrumental activities of daily living, including any significant impairments to that ability, is given ☐ below ☐ in Attachment 12.

13. Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

_____ (TYPE OR PRINT NAME)		_____ (SIGNATURE OF DECLARANT)
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CONFIDENTIAL**GC-325**

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY FILE IN CONFIDENTIAL FOLDER
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CONSERVATORSHIP OF ☐ PERSON ☐ ESTATE OF (name): ☐ CONSERVATEE ☐ PROPOSED CONSERVATEE	
CONFIDENTIAL DECLARATION ON MEDICAL ABILITY TO ATTEND HEARING—PROBATE CONSERVATORSHIP	CASE NUMBER:

The person requesting the declaration must complete item 1.

1. A petition that requires a hearing
 - a. ☐ has been filed in the conservatorship proceeding named above and set for hearing on (date):
 - b. ☐ will be filed in the conservatorship proceeding named above.

INSTRUCTIONS TO DECLARANT (PRACTITIONER)

The (proposed) conservatee is expected to attend the hearing, but may be excused if medically unable to attend. *Please complete items 2–6, below, to give your professional opinion whether the (proposed) conservatee is medically able to attend.*

Note: Emotional or psychological instability does not qualify as medical inability to attend unless, because of that instability, attending the hearing is likely to cause the (proposed) conservatee serious and immediate physiological damage.

DECLARANT'S CONTACT INFORMATION AND QUALIFICATIONS

2. Name:
3. Office address, telephone number, and email:
4. a. ☐ I am a California-licensed ☐ physician ☐ psychologist ☐ nurse practitioner ☐ physician assistant
☐ registered nurse ☐ other medical practitioner (specify):
 My license number is:
 - b. ☐ I am an accredited practitioner of a religion that calls for reliance on prayer alone for healing. The (proposed) conservatee is an adherent of my religion and is under my treatment.
 Accrediting religious organization (name):
5. a. I last examined the (proposed) conservatee on (date):
 b. The (proposed) conservatee ☐ is ☐ is **not** a patient under my ongoing care and treatment.

MEDICAL ABILITY TO ATTEND COURT HEARING

6. a. ☐ The (proposed) conservatee is medically able to attend a court hearing (check all that apply):
☐ in person ☐ remotely.
 - b. ☐ The (proposed) conservatee is medically unable to attend a court hearing (check one):
 (1) ☐ from (date): until (date):
 (2) ☐ for the foreseeable future.
 - c. **Factual basis for conclusion** (Supporting facts are stated ☐ below ☐ on Attachment 6c.)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:



(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

Page 1 of 1

CONSERVATORSHIP OF (name): (PROPOSED) CONSERVATEE	CASE NUMBER:
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1. h. ☐ (for limited conservatorship only) orders relating to the powers and duties of the proposed limited conservator of the person under Probate Code section 2351.5 be granted. (Specify orders, powers, and duties in Attachment 1h and complete item 1j.) ☐ successor*
 - i. ☐ (for limited conservatorship only) orders relating to the powers and duties of the proposed limited conservator of the estate under Probate Code section 1830(b) be granted. (Specify orders, powers, and duties in Attachment 1i and complete item 1j.) ☐ successor*
 - j. ☐ (for limited conservatorship only) orders limiting the civil and legal rights of the (proposed) limited conservatee be granted. (Specify limitations in Attachment 1j.)
 - k. ☐ orders authorizing placement or treatment for a major neurocognitive disorder (such as dementia) as specified in the Attachment Requesting Special Orders Regarding a Major Neurocognitive Disorder (form GC-313) under Probate Code section 2356.5 be granted. A Capacity Declaration—Conservatorship (form GC-335) and Major Neurocognitive Disorder Attachment to Capacity Declaration—Conservatorship (form GC-335A), executed by a licensed physician or by a licensed psychologist acting within the scope of his or her license with at least two years experience diagnosing major neurocognitive disorders (including dementia), ☐ are filed herewith. ☐ will be filed before the hearing. ☐ (appointment of successor conservator only) will not be filed because an order relating to placement or treatment for a major neurocognitive disorder (such as dementia) was filed on (date): . That order has neither expired by its terms nor been revoked.
 - l. ☐ other orders be granted. (Specify in Attachment 1l.)
2. (Proposed) conservatee is (name): (Telephone):
(Current address):
3. a. ☐ **Jurisdictional facts** (initial appointment only) The proposed conservatee has no conservator in California and is a
- (1) ☐ resident of California and
 - (a) ☐ a resident of this county.
 - (b) ☐ not a resident of this county, but commencement of the conservatorship in this county is in the best interests of the proposed conservatee for the reasons specified in Attachment 3a.
 - (2) ☐ nonresident of California but
 - (a) ☐ is temporarily living in this county, or
 - (b) ☐ has property in this county, or
 - (c) ☐ commencement of the conservatorship in this county is in the best interest of the proposed conservatee for the reasons specified in Attachment 3a.
- b. **Petitioner** (answer items (1) and (2) and check all other items that apply)
- (1) ☐ is ☐ is not a **creditor** or an agent of a creditor of the (proposed) conservatee.
 - (2) ☐ is ☐ is not a **debtor** or an agent of a debtor of the (proposed) conservatee.
 - (3) ☐ is the proposed ☐ successor conservator.
 - (4) ☐ is the (proposed) conservatee. (If this item is **not** checked, you must also complete item 3f.)
 - (5) ☐ is the spouse of the (proposed) conservatee. (You must also complete item 6.)
 - (6) ☐ is the domestic partner or former domestic partner of the (proposed) conservatee. (You must also complete item 7.)
 - (7) ☐ is a relative of the (proposed) conservatee as (specify relationship):
 - (8) ☐ is an interested person or friend of the (proposed) conservatee.
 - (9) ☐ is a state or local public entity, officer, or employee.
 - (10) ☐ is the guardian of the proposed conservatee.
 - (11) ☐ is a bank ☐ is another entity authorized to conduct the business of a trust company.
 - (12) ☐ is a professional fiduciary within the meaning of Business and Professions Code section 6501(f) who is licensed by the Professional Fiduciaries Bureau of the Department of Consumer Affairs. Petitioner's license number is provided in item 1 on page 1 of the attached Professional Fiduciary Attachment. (Use form GC-210(A-PF)/GC-310(A-PF) for this attachment. You must also complete item 2 on page 2 of that form and item 3d below.)

* See Item 5b on page 4.

CONSERVATORSHIP OF (name): (PROPOSED) CONSERVATEE	CASE NUMBER:
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3. c. **Proposed** ☐ **successor conservator** is (check all that apply)
- (1) ☐ a nominee. (Affix nomination as Attachment 3c(1).)
 - (2) ☐ the spouse of the (proposed) conservatee. (You must also complete item 6.)
 - (3) ☐ the domestic partner or former domestic partner of the (proposed) conservatee. (You must also complete item 7.)
 - (4) ☐ a relative of the (proposed) conservatee as (specify relationship):
 - (5) ☐ a bank. ☐ another entity authorized to conduct the business of a trust company.
 - (6) ☐ a nonprofit charitable corporation that meets the requirements of Probate Code section 2104.
 - (7) ☐ a professional fiduciary, as defined in Business and Professions Code section 6501(f). His or her statement concerning licensure or exemption is provided in item 1 on page 1 of the attached *Professional Fiduciary Attachment*. (Use form GC-210(A-PF)/GC-310(A-PF) for this attachment.)
 - (8) ☐ other (specify):
- d. ☐ Engagement and prior relationship with petitioning professional fiduciary (complete this item if petitioner is licensed by the *Professional Fiduciaries Bureau*.)
- (1) ☐ Statements of who engaged petitioner, or how petitioner was engaged to file this petition, and a description of any prior relationship petitioner had with the (proposed) conservatee or his or her family or friends, are provided in item 2 on page 2 of the attached *Professional Fiduciary Attachment*. (Use form GC-210(A-PF)/GC-310(A-PF) for this attachment.)
 - (2) ☐ A petition for appointment of a temporary conservator is filed with this petition. That petition contains statements of who engaged petitioner, how petitioner was engaged to file this petition, and a description of any prior relationship petitioner had with the (proposed) conservatee or his or her family and friends.
- e. **Character and estimated value of the property of the estate** (complete items (1) or (2) and (3), (4), and (5)):
- (1) ☐ (For appointment of successor conservator only, if complete Inventory and Appraisal filed by predecessor):
 Personal property: \$ _____, per Inventory and Appraisal filed in this proceeding on
 (specify dates of filing of all inventories and appraisals):
 - (2) ☐ Estimated value of personal property: \$ _____
 - (3) Annual gross income from
 - (a) real property: \$ _____
 - (b) personal property: \$ _____
 - (c) pensions: \$ _____
 - (d) wages: \$ _____
 - (e) public assistance benefits: \$ _____
 - (f) other: \$ _____
 - (4) **Total** of (1) or (2) and (3): \$ _____
 - (5) Real property: \$ _____
 - (a) ☐ per Inventory and Appraisal identified in item (1).
 - (b) ☐ estimated value.
- f. ☐ Due diligence (complete this item if the (proposed) conservatee is not a petitioner):
- (1) Efforts to find the (proposed) conservatee's relatives or reasons why it is not feasible to contact any of them are described on Attachment 3f(1).
 - (2) Statements of the (proposed) conservatee's preferences concerning the appointment of any (successor) conservator and the appointment of the proposed (successor) conservator or reasons why it is not feasible to ascertain those preferences are contained on Attachment 3f(2).

CONSERVATORSHIP OF (name): (PROPOSED) CONSERVATEE	CASE NUMBER:
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3. g. So far as known to petitioner, a conservatorship or equivalent proceeding concerning the proposed conservatee
- ☐ has not ☐ has been filed in another jurisdiction, including a court of a federally-recognized Indian tribe with jurisdiction (see Prob. Code, § 2031(b)).
- (If you answered "has," identify the jurisdiction and state the date the case was filed):

4. (Proposed) conservatee

- a. ☐ is ☐ is not a patient in or on leave of absence from a state institution under the jurisdiction of the California Department of State Hospitals or the California Department of Developmental Services (specify state institution):
- b. ☐ is receiving or entitled to receive ☐ is neither receiving nor entitled to receive benefits from the U.S. Department of Veterans Affairs (estimate amount of monthly benefit payable):
- c. ☐ is ☐ is not, so far as is known to petitioner, a member of a federally recognized Indian tribe.
 (If you answered "is," complete items (1)–(4)):
- (1) Name of tribe:
- (2) Location of tribe (if the tribe is located in more than one state, the state that is the tribe's principal location):
- (3) The proposed conservatee ☐ does ☐ does not reside on tribal land.*
- (4) So far as known to petitioner, the proposed conservatee ☐ owns ☐ does not own property on tribal land.
5. a. ☐ Proposed conservatee (initial appointment of conservator only)
- (1) ☐ is an adult.
- (2) ☐ will be an adult on the effective date of the order (date):
- (3) ☐ is a married minor.
- (4) ☐ is a minor whose marriage has been dissolved.
- b. ☐ Vacancy in office of conservator (appointment of successor conservator only. A petition for appointment of a limited conservator after the death of a predecessor is a petition for initial appointment. (Prob. Code, § 1860.5(a)(1).)
- There is a vacancy in the office of conservator of the ☐ person ☐ estate for the reasons ☐ specified in Attachment 5b. ☐ specified below.

* "Tribal land" is land that is, with respect to a specific Indian tribe and the members of that tribe, "Indian country", as defined in 18 U.S.C. § 1151.

CONSERVATORSHIP OF <i>(name):</i> (PROPOSED) CONSERVATEE	CASE NUMBER:
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5. c. **(Proposed) conservatee** requires a conservator and is

- (1) ☐ unable to properly provide for his or her personal needs for physical health, food, clothing, or shelter.
 Supporting facts are ☐ specified in Attachment 5c(1) ☐ as follows:

- (2) ☐ substantially unable to manage his or her financial resources or to resist fraud or undue influence.
 Supporting facts are ☐ specified in Attachment 5c(2) ☐ as follows:

CONSERVATORSHIP OF (name): (PROPOSED) CONSERVATEE	CASE NUMBER:
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5. d. ☐ (Proposed) conservatee voluntarily requests the appointment of a ☐ successor conservator.
(Specify facts showing good cause in Attachment 5(d).)
- e. ☐ Confidential Supplemental Information (form GC-312) is filed with this petition. *(Initial appointment of conservator only. All petitioners must file this form except banks and other entities authorized to do business as a trust company.)*
- f. **(Proposed) conservatee** ☐ does ☐ does not have a developmental disability as defined in Probate Code section 1420. Petitioner is aware of the requirements of Probate Code section 1827.5. *(Specify the nature and degree of the alleged disability in Attachment 5f).*
6. ☐ Petitioner or proposed ☐ successor conservator is the spouse of the (proposed) conservatee.
(If this statement is true, you must answer a or b.)
- a. ☐ The (proposed) conservatee's spouse is not a party to any action or proceeding against the (proposed) conservatee for legal separation, dissolution of marriage, annulment, or adjudication of nullity of their marriage.
- b. ☐ Although the (proposed) conservatee's spouse is a party to an action or proceeding against the (proposed) conservatee for legal separation, dissolution, annulment, or adjudication of nullity of their marriage, or has obtained a judgment in one of these proceedings, it is in the best interest of the (proposed) conservatee that:
- (1) ☐ a ☐ successor conservator be appointed.
- (2) ☐ the spouse be appointed as the ☐ successor conservator.
(if you checked item 6b(1) or (2) or both, specify the facts and reasons in Attachment 6b.)
7. ☐ Petitioner or proposed ☐ successor conservator is the domestic partner or former domestic partner of the (proposed) conservatee. *(If this statement is true, you must answer a or b.)*
- a. ☐ The domestic partner of the (proposed) conservatee has not terminated and does not intend to terminate the domestic partnership.
- b. ☐ Although the domestic partner or former domestic partner of the (proposed) conservatee intends to terminate or has terminated the domestic partnership, it is in the best interest of the (proposed) conservatee that:
- (1) ☐ a ☐ successor conservator be appointed.
- (2) ☐ the domestic partner or former domestic partner be appointed as the ☐ successor conservator.
(if you checked item 7b(1) or (2) or both, specify the facts and reasons in Attachment 7b.)
8. **(Proposed) conservatee** *(check all that apply)*
- a. ☐ will attend the hearing AND ☐ is the petitioner ☐ is not the petitioner AND ☐ has ☐ has not nominated the proposed ☐ successor conservator.
- b. ☐ *(initial appointment of conservator only)* is able but unwilling to attend the hearing AND ☐ does ☐ does not wish to contest the establishment of a conservatorship, ☐ does ☐ does not object to the proposed conservator, AND ☐ does ☐ does not prefer that another person act as conservator.
- c. ☐ *(initial appointment of conservator only)*: is unable to attend the hearing because of medical inability. A *Capacity Declaration-Conservatorship* (form GC-335), executed by a licensed medical practitioner or an accredited religious practitioner ☐ is filed with this petition. ☐ will be filed before the hearing.
- d. ☐ *(initial appointment of conservator only)* is not the petitioner, is out of state, and will not attend the hearing.
- e. ☐ *(appointment of successor conservator only)* will not attend the hearing.
9. ☐ **Medical treatment of (proposed) conservatee**
- a. There is no form of medical treatment for which the (proposed) conservatee has the capacity to give an informed consent.
- b. A *Capacity Declaration-Conservatorship* (form GC-335) executed by a licensed physician or by a licensed psychologist acting within the scope of his or her licensure, stating that the (proposed) conservatee lacks the capacity to give informed consent for any form of medical treatment and giving reasons and the factual basis for this conclusion, ☐ is filed with this petition. ☐ will be filed before the hearing. ☐ will not be filed for the reason stated in c.
- c. ☐ *(appointment of successor conservator only)* The conservatee's incapacity to consent to any form of medical treatment was determined by order filed in this matter on (date):
 That order has neither expired by its terms nor been revoked.
- d. (Proposed) conservatee ☐ is ☐ is not an adherent of a religion that relies on prayer alone for healing, as defined in Probate Code section 2355(b).

CONSERVATORSHIP OF (name): (PROPOSED) CONSERVATEE	CASE NUMBER:
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10. ☐ **Temporary conservatorship**

Filed with this petition is a *Petition for Appointment of Temporary Conservator* (form GC-111).

11. **(Proposed) conservatee's relatives**

The names, residence addresses, and relationships of the spouse or registered domestic partner and the second-degree relatives of the (proposed) conservatee (his or her parents, grandparents, children, grandchildren, and brothers and sisters), so far as known to petitioner, are

- a. ☐ listed below.
 b. ☐ not known, or no longer living, so the (proposed) conservatee's deemed relatives under Probate Code section 1821(b) (1)-(4) are listed below.

	<u>Name and relationship to conservatee</u>	<u>Residence address</u>
(1)		
(2)		
(3)		
(4)		
(5)		
(6)		
(7)		
(8)		
(9)		
(10)		
(11)		
(12)		
(13)		
(14)		
(15)		
(16)		

☐ Continued on Attachment 11.

CONSERVATORSHIP OF <i>(name):</i> (PROPOSED) CONSERVATEE	CASE NUMBER:
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12. ☐ **Confidential conservator screening form**

Submitted with this petition is a *Confidential Conservator Screening Form* (form GC-314) completed and signed by the proposed ☐ successor conservator. *(Required for all proposed conservators except banks and trust companies.)*

13. ☐ **Court investigator**

Filed with this petition is a proposed *Order Appointing Court Investigator* (form GC-330).

14. Number of pages attached:

Date:

 (TYPE OR PRINT NAME OF ATTORNEY FOR PETITIONER)



 (SIGNATURE OF ATTORNEY FOR PETITIONER)

(All petitioners must also sign (Prob. Code, § 1020; Cal. Rules of Court, rule 7.103).)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

 (TYPE OR PRINT NAME OF PETITIONER)



 (SIGNATURE OF PETITIONER)

 (TYPE OR PRINT NAME OF PETITIONER)



 (SIGNATURE OF PETITIONER)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
TEMPORARY CONSERVATORSHIP OF (Name): _____ CONSERVATEE	CASE NUMBER: _____
PETITION FOR APPOINTMENT OF TEMPORARY CONSERVATOR ☐ Person ☐ Estate ☐ Person and Estate	HEARING DATE: _____ DEPT.: _____ TIME: _____

1. Petitioner (name each):
requests that

a. (Name):

 (Address and
telephone number):

be appointed temporary conservator of the PERSON of the proposed conservatee and Letters issue upon qualification.

b. (Name):

 (Address and
telephone number):

be appointed temporary conservator of the ESTATE of the proposed conservatee and Letters issue upon qualification.

 c. (1) ☐ bond not be required because petition is for a temporary conservatorship of the person only.

 (2) ☐ bond not be required for the reasons stated in attachment 1c.

 (3) ☐ \$ _____ bond be fixed. It will be furnished by an admitted surety insurer or as otherwise provided by law.
 (Specify reasons in attachment 1c if the amount is different from maximum required by Probate Code section 2320
and Cal. Rules of Court, rule 7.207(c).)

 (4) ☐ \$ _____ in deposits in a blocked account be allowed. Receipts will be filed.
 (Specify institution and location):

 d. ☐ a request for an exception to notice of the hearing on this petition for good cause is filed with this petition.

 e. ☐ the powers specified in Attachment 1e be granted in addition to the powers provided by law.

 f. ☐ other orders be granted (specify in attachment 1f).

2. The proposed conservatee is (name):

Current address:

Current telephone no.:

3. The proposed conservatee requires a temporary conservator to ☐ **provide for temporary care, maintenance, and support**
☐ **protect property from loss or injury** because (facts are ☐ specified in attachment 3 ☐ as follows):

TEMPORARY CONSERVATORSHIP OF (Name):	CASE NUMBER:
CONSERVATEE	

4. Temporary conservatorship is required

- a. ☐ pending the hearing on the petition for appointment of a general conservator.
 b. ☐ pending the appeal under Probate Code section 1301.
 c. ☐ during the suspension of powers of the conservator.

5. ☐ Character and estimated value of the property of the estate (complete if a temporary conservatorship of the estate or the person and estate is requested):

- a. Personal property: \$
 b. Annual gross income from all sources, including real and personal property, wages, pensions, and public benefits: \$
 c. Additional amount for cost of recovery on the bond, calculated as required under Cal. Rules of Court, rule 7.207(c): \$ _____
 d. Total: \$ _____

6. ☐ Petitioner requests authority to change the proposed conservatee's residence during the temporary conservatorship

- a. ☐ Petitioner proposes to change the residence of the proposed conservatee to (address):

The proposed conservatee will suffer irreparable harm if his or her residence is not changed as requested and no means less restrictive of the proposed conservatee's liberty will suffice to prevent the harm because (reasons are

☐ specified in attachment 6a ☐ as follows):

- b. ☐ The proposed conservatee must be removed from the State of California to permit the performance of the following nonpsychiatric medical treatment essential to the proposed conservatee's physical survival. The proposed conservatee consents to this medical treatment. (Facts and place of treatment are ☐ specified in attachment 6b ☐ as follows):

7. ☐ Petitioner is a professional fiduciary

- a. Petitioner holds license no. (specify): _____ from the Professional Fiduciaries Bureau of the Department of Consumer Affairs issued or last renewed on (specify later date of initial issuance or renewal):
 b. Petitioner was requested to file this petition by (name):
 c. The circumstances leading to petitioner's engagement to file this petition are described in attachment 7c.
 d. Petitioner had: (1) ☐ No relationship to the proposed conservatee, his or her family, or his or her friends before engagement to file this petition.
 (2) ☐ A relationship to the proposed conservatee, his or her family, or his or her friends before engagement to file this petition. That relationship is described in ☐ attachment 7d. ☐ the Petition for Appointment of Probate Conservator (form GC-310) filed with this petition or an attachment to that petition (specify attachment to general petition):

TEMPORARY CONSERVATORSHIP OF (Name):	CASE NUMBER:
CONSERVATEE	

8. Petitioner's contact with persons named in *Petition for Appointment of Probate Conservator*

- a. ☐ Petitioner is the proposed conservatee. (If this item is selected, go to item 9.)
- b. ☐ Petitioner is not the proposed conservatee. All persons other than the proposed conservatee named in the *Petition for Appointment of Probate Conservator* filed with this petition:
- (1) ☐ Have been found and contacted. All will be given notice of the hearing on this petition.
- (2) ☐ Have not been found or have not been contacted. Efforts to find the persons who have not been found and the reasons why any person cannot be contacted are described in one or more declarations under penalty of perjury attached to this petition as attachment 8b. (Attachment 8b is not a request for a good cause exception to notice. See Prob. Code, § 2250(e) and rule 7.1062 of the Cal. Rules of Court.)
- c. ☐ Petitioner is not the proposed conservatee. Facts showing the preferences of the proposed conservatee concerning the appointment of any temporary conservator, and the appointment of the temporary conservator proposed in this petition, or why it was not feasible to ascertain those preferences, are specified in one or more declarations attached to this petition as attachment 8c.

9. Petitioner is informed and believes that the proposed conservatee

- a. ☐ will attend the hearing.
- b. ☐ is able but unwilling to attend the hearing, does not wish to contest the establishment of a conservatorship, does not object to the proposed conservator, and does not prefer that another person act as conservator.
- c. ☐ is unable to attend the hearing because of medical inability. An affidavit or certificate of a licensed medical practitioner or an accredited religious practitioner is affixed as attachment 9c.
- d. ☐ is not the petitioner, is out of state, and will not attend the hearing.

10. ☐ Filed with this petition is a proposed *Order Appointing Court Investigator* (form GC-330).

11. All attachments to this form are incorporated by this reference as though placed here in this form. There are _____ pages attached to this form.

Date:

*** (Signature of all petitioners also required (Prob. Code, § 1020).)**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME)

(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF ATTORNEY*)

▶ _____
(SIGNATURE OF PETITIONER)

▶ _____
(SIGNATURE OF PETITIONER)

FOR PREPARATION BY THE COURT ONLY	<i>FOR COURT USE ONLY</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE of (name): ☐ CONSERVATEE ☐ PROPOSED CONSERVATEE	
ORDER APPOINTING COURT INVESTIGATOR ☐ Conservatorship ☐ Limited Conservatorship	CASE NUMBER:

To (name):

You are hereby appointed court investigator in the matter above.

1. ☐ **A Petition for Appointment of a Probate Conservator (form GC-310) has been filed. YOU ARE DIRECTED TO:**
- a. Interview the proposed conservatee personally.
 - b. ☐ Conduct the other interviews required by Probate Code section 1826(a)(1).*
 - c. Provide to the proposed conservatee all the information required by Probate Code section 1826(a)(2).
 - d. Determine whether it appears that the proposed conservatee is unable to attend the hearing and, if able to attend, whether the proposed conservatee is willing to attend.
 - e. Make all determinations required by Probate Code section 1826(a)(4)–(8).
 - f. Determine if the proposed conservatee is incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process. The proposed conservatee may not be disqualified from voting unless the court makes the determination above *and* appoints a conservator.
 - g. ☐ Gather and review relevant medical reports regarding the proposed conservatee from the proposed conservatee's primary care physician and other relevant mental and physical health providers. Place all confidential medical information or confidential information obtained from the California Law Enforcement Telecommunications System (CLETS) that is included in or attached to your report into a separate, confidential attachment.*
 - h. Report to the court in writing at least five days before the hearing concerning all of the foregoing, including the proposed conservatee's express communications concerning (1) representation by legal counsel, and (2) if the proposed conservatee is not willing to attend the hearing, does not wish to contest the establishment of the conservatorship, and does not object to the proposed conservator or prefers that another person act as conservator.
 - i. Deliver a copy of your report—omitting any attachment containing confidential medical information or confidential information from CLETS—to all persons listed in Probate Code section 1826(a)(13) in any manner permitted by Probate Code section 1215, at least five days before the date set for hearing,
 - (1) ☐ **except** for the persons listed in Attachment 1i(1), because the court has determined that delivery to those persons will harm the proposed conservatee;
 - (2) ☐ **and** to the persons listed in Attachment 1i(2) (*specify names and addresses in the attachment*).
 - j. ☐ Comply with the other orders specified in Attachment 1j.

* You are required to perform an activity marked with an asterisk only if the box is checked or the Legislature has made an appropriation identified for that purpose.

CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE of (name):	CASE NUMBER:
☐ CONSERVATEE ☐ PROPOSED CONSERVATEE	

2. ☐ **A Petition for Appointment of Temporary Conservator (form GC-111) has been filed. YOU ARE DIRECTED TO:**

- ☐ Conduct the interviews required by Probate Code section 2250.6(a)(1) before the hearing on the petition or, if that is not feasible, conduct the interviews required by section 2250.6(b)(1) within two court days after the hearing. In either case, interview the temporary conservatee or proposed temporary conservatee personally.*
- ☐ Provide to the temporary conservatee or proposed temporary conservatee the information in Probate Code section 2250.6(a)(2) before the hearing or, if that is not feasible, the information in section 2250.6(b)(2) within two court days after the hearing.*
- ☐ Make the determinations required by Probate Code section 2250.6(a)(3)–(5) before the hearing on the petition unless it is not feasible to do so.*
- ☐ Report to the court in writing before the hearing on the petition concerning all of the activities discussed in item 2a–c, above, that you are able to complete before the hearing.*
- ☐ If you cannot visit the temporary conservatee until after the hearing at which a temporary conservator was appointed, and the temporary conservatee objects to the appointment of the temporary conservator or requests an attorney, report this information to the court promptly and in no event more than three court days after the date of your visit with the temporary conservatee.*
- ☐ If it appears to you that the temporary conservatorship is inappropriate, report this determination in writing to the court immediately, and in no event more than two court days after you make the determination.*

3. ☐ **The temporary conservator has requested an order under Probate Code section 2253 to change the residence of the temporary conservatee. YOU ARE DIRECTED TO:**

- Personally interview and inform the temporary conservatee of the contents of the request by the temporary conservator for authority to change the temporary conservatee's residence; of the nature, purpose, and effect of the proceedings; and of the right to oppose the request, attend the hearing, and be represented by legal counsel.
- Make the determinations required by Probate Code section 2253(b)(3)–(7).
- ☐ Gather and review relevant medical reports regarding the proposed conservatee from the proposed conservatee's primary care physician and other relevant mental and physical health care providers. Place all confidential medical information or confidential information obtained from the California Law Enforcement Telecommunications System (CLETS) that is included in or attached to your report into a separate, confidential attachment.*
- At least two days before the hearing on the request, report your findings concerning the foregoing in writing to the court. Include in your report the temporary conservatee's express communications concerning representation by legal counsel and whether the temporary conservatee is not willing to attend the hearing and does not wish to contest the request.
- ☐ Comply with the other orders specified in Attachment 3e.

4. ☐ **A request for exclusive authority to give consent for medical treatment under Probate Code section 1880 has been included in the petition for appointment on form GC-310 or filed as a separate petition on form GC-380.**

The petition alleges that the conservatee or proposed conservatee is not willing to attend the hearing, or the court has received an affidavit or certificate attesting to the medical inability of the conservatee or proposed conservatee to attend the hearing.

YOU ARE DIRECTED TO:

- Interview the conservatee or proposed conservatee personally and inform the conservatee or proposed conservatee of the contents of the petition; of the nature, purpose, and effect of the proceeding; and of the right to oppose the petition, attend the hearing, and be represented by legal counsel.
- Make the determinations required by Probate Code section 1894(c)–(f).
- At least five days before the hearing on the petition, report your findings concerning the foregoing in writing to the court, and include in your report the conservatee's express communications concerning representation by legal counsel and whether the conservatee is not willing to attend the hearing and does not wish to contest the petition.
- ☐ Comply with the other orders specified in Attachment 4d.

* You are required to perform an activity marked with an asterisk only if the box is checked or the Legislature has made an appropriation identified for that purpose.

5. Number of pages attached: _____

Date: _____

JUDICIAL OFFICER

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

When you are appointed by the court as a conservator, you become responsible to the court and assume certain duties and obligations. All of your actions as conservator are subject to review by the court. You should clearly understand the information on this form. You will find additional information in the Judicial Council's *Handbook for Conservators*, receipt of which, in addition to a copy of this form, you are required by law to acknowledge.

Conservatees do not lose all rights or all voice in important decisions affecting their lives. All conservatees have the right to be treated with understanding and respect, the right to have their wishes considered, and the right to be well cared for by their conservators. Conservatees generally keep the right to (1) control their own wages or salary from employment, (2) make or change a will, (3) marry, (4) receive personal mail, (5) be represented by a lawyer, (6) ask a judge to change conservators, (7) as a judge to end the conservatorship, (8) vote, unless a judge decides they are not capable of exercising this right, (9) control personal spending money if a judge has authorized an allowance, and (10) make their own medical decisions, unless a judge has taken away that right and given it exclusively to their conservators.

Your attorney will advise you on your duties, the limits of your authority, the conservatee's rights, your dealings with the court, all other topics discussed in this form, and many other matters. He or she will tell you when you must ask for prior court approval to take an action, when you may do so (and why it might be a good idea), and when prior court approval is not required. All legal questions should be discussed with your attorney, not the court staff, which is not permitted to give legal advice.

Your attorney will also help prepare your inventories, accountings, petitions, and all other documents to be filed with the court; and will see that the persons entitled to be notified of your actions are given proper notice. He or she will also advise you about legal limits on estate investments, leases and sales of estate assets, loans, lawsuits against others involving the conservatee or his or her property, and many other matters, and can prepare or review documents needed in these matters. You should communicate frequently and cooperate fully with your attorney at all times. **When in doubt, contact your attorney.**

Other questions may be answered by calling on local community resources. (To find these resources, see the *Handbook for Conservators* and the local supplement distributed by the court.)

If the court appoints you as conservator of the person, you are responsible for the conservatee's care and protection. You must decide, within certain limits, where the conservatee will live; and you must arrange for the conservatee's health care, meals, clothing, personal care, housekeeping, transportation, and recreation.

You must determine the conservatee's appropriate level of care. Your determination must be in writing, signed under penalty of perjury, must be filed with the court within 60 days of the date of the court's order appointing you as conservator, and must include:

CONSERVATORSHIP OF (Name): _____	CASE NUMBER: _____
CONSERVATEE	

- III. A. 1. An evaluation of the level of care existing when the petition for your appointment as a conservator was filed and the measures that would be necessary to keep the conservatee in his or her **personal residence**.
(Note: The conservatee's **personal residence** is the residence the conservatee understood or believed to be his or her permanent residence on (1) the date the petition for appointment of a conservator was filed in this matter, or (2) on the last earlier date the conservatee could form or communicate an understanding or belief about a permanent residence, whether or not he or she was living there when the appointment petition was filed. See Cal. Rules of Court, rule 7.1063(b).)
2. A plan to return the conservatee to his or her **personal residence** or an explanation of the limitations or restrictions on a return of the conservatee to that residence in the foreseeable future if the conservatee was not living there when the petition for appointment of a conservator was filed.
3. A reevaluation after a material (important) change in circumstances affecting the conservatee's needs for placement and care after your initial determination.
4. If the conservatee is a limited conservatee who is developmentally disabled, special rules may apply to the determination of his or her level of care and residential placement. See item VI below.
- B. DECIDE WHERE THE CONSERVATEE WILL LIVE**
1. You must decide where the conservatee will live. You may choose a residence in California without prior approval of the court, but you must choose the least restrictive appropriate residence that is available and necessary to meet the conservatee's needs and that is in his or her best interests.
2. You must file a written notice of any change of the conservatee's residence with the court within 30 days of the move, and you must mail copies of the notice to the conservatee's attorney, the conservatee's spouse or registered domestic partner, and the conservatee's relatives who were mailed copies of the petition for your appointment as conservator, unless the court excuses you from the mailing to prevent harm to the conservatee. (There is a court form you must use for this notice and another form you may use to prove that you have mailed it. The forms are the *Post-Move Notice of Change of Residence of Conservatee or Ward* (form GC-080) and the *Attachment to Post-Move Notice, etc.* (form GC-080(MA)). These forms refer to a "post-move notice" because the notice may be filed and mailed after the date of the move.)
3. The law presumes that the conservatee's **personal residence** (see item IIIA) is the conservatee's least restrictive appropriate residence. There must be a reason supported by sufficient evidence to justify a change of residence from the conservatee's personal residence (including a move from a care facility or other temporary placement to a residence that is not the conservatee's personal residence).
4. If you want to move the conservatee from his or her **personal residence**, in addition to the post-move notice described in item 2, you must mail a notice of your intent to change the conservatee's residence to the conservatee, the conservatee's attorney, if any, and to each other person or entity entitled to notice of the hearing on the petition for your appointment as conservator; and then you must file with the court proof that the notice was mailed. Unless there is an emergency requiring a shorter period of notice, this notice must be mailed at least 15 days before the date of the proposed move. (There is a court form you must use for this notice and another form you may use to prove that you have mailed it. The forms are the *Pre-Move Notice of Proposed Change of Personal Residence of Conservatee or Ward* (form GC-079) and the *Attachment to Pre-Move Notice, etc.* (form GC-079(MA)). These forms refer to a "pre-move notice" because the notice must be mailed before the move.)
5. If you want to establish the conservatee's residence outside California, you must petition the court for permission before the move. Notice of the court hearing on this petition, together with a copy of the petition, must be mailed to the conservatee and the other persons and entities that were entitled to notice of the hearing on the petition for your appointment as conservator. There is a court form for this petition, the *Petition to Fix Residence Outside the State of California* (form GC-085). Notice of the hearing and proof of its mailing is given on another court form, the *Notice of Hearing—Guardianship or Conservatorship* (form GC-020).
6. You may not place the conservatee involuntarily in a mental health treatment facility unless he or she has been determined to be gravely disabled as the result of a mental disorder or impairment by chronic alcoholism, you have been appointed as conservator under the Lanterman-Petris-Short Act (Welf. & Inst. Code, § 5350 et seq.), and then only if the court has authorized the placement. If the court has authorized you to place the conservatee in a secured-perimeter residential care facility or a locked and secured nursing facility because he or she suffers from dementia, you must be sure that the placement is the least restrictive placement appropriate to the conservatee's needs.

CONSERVATORSHIP OF (Name): _____	CASE NUMBER: _____
CONSERVATEE	

III. C. PROVIDE MEDICAL CARE FOR THE CONSERVATEE

You are responsible for making sure that the conservatee's health care needs are met. But there are special rules you must follow to meet these needs. Two of the most important rules are as follows:

1. Unless the court has given you exclusive authority to consent to the conservatee's medical treatment because the court has determined that the conservatee has lost the capacity to make sound medical decisions, your consent or refusal to consent to such treatment is not sufficient if the conservatee disagrees (except in certain emergency situations). If you do have exclusive medical consent authority, you should be sure that all medical treatment and medications are appropriate.
2. If the conservatee has dementia and has lost the capacity to give an informed consent to the administration of medications for its treatment and care, you must be given specific authority by the court to consent to the administration of these medications. If you do have this authority, you should be sure that the medications are appropriate.

D. WORK WITH THE PERSON(S) RESPONSIBLE FOR MANAGING THE CONSERVATEE'S PROPERTY

If other persons are handling the conservatee's property, such as his or her estate conservator, the conservatee's spouse or registered domestic partner in possession of the couple's marital or partnership property, or the trustee of a trust created for the management of the conservatee's property and for his or her support, you must work together to be sure that the conservatee can afford the care you arrange. Purchases you make for the conservatee must be approved by the person(s) responsible for managing the conservatee's assets or you may not be reimbursed or your reimbursement may be delayed.

IV. CONSERVATOR OF THE ESTATE

The conservatee's property or assets and income are known as the conservatee's "estate." If the court appoints you as conservator of the estate, you will manage the conservatee's finances, protect the conservatee's income and property or assets, make an inventory of the conservatee's property or assets, make sure the conservatee's bills are paid, invest the conservatee's money, see that the conservatee receives all the income and benefits to which he or she is entitled, ensure that the conservatee's tax returns are filed on time and all taxes paid, keep accurate financial records, and regularly report the conservatee's financial condition to the court. *(Note: Property or assets and income in a trust for the conservatee's support and maintenance are usually not considered as part of the conservatee's estate, particularly if the trust was created and funded before the appointment of a conservator. Unless the conservatee's spouse or registered domestic partner consents to its inclusion in the conservatee's estate, the community property of the conservatee and his or her spouse or registered domestic partner under the management and control of the spouse or partner is also not part of the conservatee's estate.)*

A. MANAGING THE ESTATE

1. Prudent management for the benefit of the conservatee; prudent investments

You must manage the estate's property or assets and income for the benefit of the conservatee and with the care of a prudent person dealing with someone else's property. You must not make unreasonably risky investments of money or property of the estate.

2. Prior court approval required for fees, borrowing, loans, and gifts

You must ask and receive the court's permission, after full disclosure of all relevant facts, before you may pay from the conservatee's estate fees to yourself for your services as conservator and to your attorney for his or her services to you; borrow money for or loan money from the conservatee's estate (to yourself or anyone else); or make gifts of estate assets or property.

3. Keep estate money and property separate from your or anyone else's money or property

You must keep the money and property of the conservatee's estate separate from your money or property or from the money or property of any other person. Never deposit estate funds in your personal bank account or otherwise mix them with your or anyone else's funds, even for brief periods. Title to individual stocks, bonds, or other securities; securities broker accounts; mutual funds; and accounts with banks and other financial institutions must show that these assets are property of the conservatorship estate and not your or anyone else's property.

4. Interest-bearing accounts and other investments

Except for a checking account intended for payment of ordinary expenses, estate bank accounts must earn interest. You may deposit estate funds in one or more insured accounts in financial institutions, but you should not put more than the FDIC insurance limit, currently \$250,000, in any single institution. You have authority to make some investments without court approval. Other investments may be made only after court approval has been obtained. Consult with an attorney before making any investments, even those you have authority to make without court approval.

CONSERVATORSHIP OF (Name): _____	CASE NUMBER: _____
CONSERVATEE	

IV. A. 5. Claims against others on behalf of the conservatee

Pursue claims against others on behalf of the conservatee's estate when it is in the best interests of the conservatee or his or her estate to do so. The court may require you to be represented by a lawyer to proceed with litigation on behalf of the conservatee's estate. Consider requesting prior court authority to pursue or compromise large or complex claims, particularly those that might require litigation and the assistance of legal counsel and those that might result in an award of attorney fees for the other party against the conservatee's estate if you are unsuccessful. You may sign a contingent fee agreement with legal counsel on behalf of the conservatee's estate if such agreements are customary for the type of case involved, but the court must approve the agreement before it is enforceable. You may ask for court approval of a contingent fee agreement before signing it and before legal counsel performs any services under it.

6. Defend against claims against the conservatee's estate

Defend against actions or claims against the conservatee or his or her estate when it is in the best interest of the conservatee or the estate to do so. The court may require you to be represented by a lawyer for your defense of a lawsuit against the conservatee's estate. You may request court approval or instructions concerning the defense or compromise of such a lawsuit.

7. Public and insurance benefits

You must learn about and collect all public and insurance benefits for which the conservatee is eligible.

8. Evaluate the conservatee's ability to manage cash and other assets

You should evaluate the conservatee's ability to manage cash or other assets and take appropriate action, including asking for prior court approval when necessary or appropriate, to enable the conservatee to do so to the level of his or her ability.

9. Locate the conservatee's estate planning documents

You should undertake, as soon as possible after your appointment and qualification as conservator, to locate and take reasonable steps to ensure the safety of the conservatee's estate planning documents, including wills and codicils, living trusts, powers of attorney for health care and finances, life insurance policies, and pension records.

10. Preserve property mentioned in the conservatee's estate planning documents

Make reasonable efforts to identify, locate, and preserve property mentioned in the conservatee's estate planning documents.

11. Guard against inappropriate disclosure of the conservatee's financial information

Subject to your duty of full disclosure to the court and persons entitled under the law to receive it, you must closely guard against unnecessary or inappropriate disclosure of the conservatee's financial information.

12. Conservatee's tangible personal property

If you plan to dispose of any of the conservatee's tangible personal property, inform the conservatee's family members in advance and give them an opportunity to acquire the property, with approval or confirmation of the court.

13. Factors to consider when deciding whether to dispose of any of the conservatee's property

In deciding whether it is in the best interest of the conservatee to dispose of property of his or her estate, consider the following factors, among others, as appropriate in the circumstances:

- (A) The likely benefit or improvement of the conservatee's life that disposing of the property would bring;
- (B) The likelihood that the conservatee would need or benefit from the property in the future;
- (C) The previously expressed or current desires of the conservatee concerning the property, unless accommodating those desires would violate your fiduciary duty to the conservatee or impose an unreasonable expense on the estate;
- (D) The provisions of the conservatee's estate plan concerning the property;
- (E) The tax consequences of disposing of the property;
- (F) The impact of disposition on the conservatee's eligibility for public benefits;
- (G) The condition of the entire estate;
- (H) The likelihood that the property will deteriorate or be subject to waste if kept in the estate; and
- (I) The benefit versus the cost or liability of maintaining the property in the estate.

CONSERVATORSHIP OF (Name): _____	CASE NUMBER: _____
CONSERVATEE	

IV. A. 14. Property, casualty, and liability insurance

Determine the appropriate kinds and adequate levels of property, casualty, and liability insurance covering the property, assets, risks, and potential liabilities of the conservatee and his or her estate. Maintain the insurance in force during the entire period of the administration (except for assets after they are sold).

15. Communicate with conservator of the person and trustee

You should communicate as necessary and appropriate with the conservator of the conservatee's person, if any, and with the trustee of any trust of which the conservatee is a beneficiary.

16. Other limitations or restrictions

There are many limitations or restrictions on your authority to deal with estate assets not mentioned here. If you do not obtain the court's permission when it is required before taking an action, you may be removed as conservator or you may be required to reimburse the estate from your own personal funds, or both.

B. INVENTORY OF ESTATE PROPERTY**1. Locate and take possession of the estate's property and prepare an inventory**

You must identify, locate, take possession of, and protect all the conservatee's property, assets, and income that will be or become part of the conservatorship estate. You must change the record title or ownership of most property and assets of the estate to reflect the conservatorship. You must record a copy of your *Letters of Conservatorship* (form GC-350) with the county recorder in each county where the conservatee owns real property. You must then prepare an inventory, or a list, of all of the real and personal property of the estate. There are court forms that must be used for the inventory. These consist of a two-page cover sheet, *Inventory and Appraisal* (form DE-160/GC-040) and one or more pages to be attached to the cover sheet containing the list of property, *Inventory and Appraisal Attachment* (form DE-161/GC-041). The property is separated into two categories, cash and cash-equivalent items, listed on Attachment 1; and all other types of real and personal property, listed on Attachment 2.

2. Determine the value of the estate's property

You must arrange to have a **probate referee** appointed by the court appraise, or determine the fair market value of, the noncash property of the estate shown in Attachment 2 of your inventory unless the referee's appointment is waived by the court. You, rather than the referee, may appraise the value of the cash and cash-equivalent items of property listed in Attachment 1, such as bank accounts.

3. File and mail copies of the inventory and appraisal and notice of how to object

Within 90 days after your appointment as conservator, unless the court gives you more time, you must file with the court your inventory containing the appraisals of estate property, signed by you and, if the probate referee has appraised assets, by the referee. You must also mail copies of the completed inventory and appraisal to the conservatee, the conservatee's attorney, if any, and the conservatee's spouse or registered domestic partner, parents, and children, and must give them written notice of how to file an objection to the inventory and appraisal. There is a court form that must be used for this notice, the *Notice of Filing of Inventory and Appraisal and How to Object to the Inventory or the Appraised Value of Property* (form GC-042).

C. RECORD KEEPING AND ACCOUNTING**1. Keep records and prepare accountings**

You must keep complete and accurate records of each financial transaction affecting the estate, including all receipts of income, changes in assets or property held in the estate, and expenditures. The checkbook for the conservatorship checking account is your indispensable tool for keeping records of income and expenditures. You should also save original bills or invoices paid, records of property sale transactions, receipts for money spent, and bank or other institutions' statements showing income received and money spent. You must prepare periodic accountings of all money and property you have received, what you have spent, the date of each transaction, and its purpose. Your accountings must describe in detail what you have left after you pay the estate's expenses. There are court forms you may, or in some situations must, use for your accountings. You will have to file original statements from banks and other institutions with your accountings.

CONSERVATORSHIP OF (Name): _____	CASE NUMBER: _____
CONSERVATEE	

IV. C. 2. Court review of your accountings and records

You must file with the court a report with each of your accountings that shows the current circumstances of the conservatee and the estate, along with a petition requesting that the court review and approve the accounting. Your first accounting is due one year after your appointment, and later accountings must be filed at least every two years after that. The court may order you to file more frequent accountings. You must save your receipts and other original records because the court may ask to review them. If you do not file your accountings as required, the court will order you to do so. You may be removed as conservator if you fail to properly prepare and file your accountings or comply with the court's orders.

V. DUTY TO DISCLOSE CHANGES IN MARITAL OR DOMESTIC PARTNERSHIP STATUS

If you are the spouse of the conservatee, you must disclose to the court, and give notice to interested persons under the Probate Code, of the filing of any action or proceeding against the conservatee for (1) legal separation, (2) dissolution of marriage, or (3) adjudication of nullity of the marriage. If you are or were the registered domestic partner of the conservatee, you must disclose to the court any termination of the domestic partnership. The disclosure must be made within 10 days of the initial filing of the action or proceeding or termination of the partnership by filing a notice with the court. If you are not the spouse or registered domestic partner or former partner of the conservatee and one of these events occurs, the conservatee's spouse or former registered domestic partner must disclose the event to you within the same 10-day period.

VI. LIMITED CONSERVATOR (for the developmentally disabled only)

A. AUTHORITY SPECIFIED IN YOUR *LETTERS OF CONSERVATORSHIP* AND APPOINTMENT ORDER

If the court appoints you as limited conservator, you will have authority to take care of **only** those aspects of the conservatee's life and financial affairs specified in your *Letters of Conservatorship* and the court's order appointing you. The conservatee retains all other legal and civil rights. Although most of the information provided in this form also applies to limited conservatorships (especially the duties of the conservator of the person), you should clarify with your attorney exactly which information applies in your case.

B. DUTY TO HELP LIMITED CONSERVATEE DEVELOP SELF-RELIANCE

You must secure treatment, services, and opportunities that will assist the limited conservatee to develop maximum self-reliance and independence. This assistance may include training, education, medical and psychological services, social opportunities, vocational opportunities, and other appropriate help.

C. DETERMINATION OF LEVEL OF CARE FOR CERTAIN LIMITED CONSERVATEES

The level of care determination described in item **IIIA** does not apply to a limited conservatee who receives services from a regional center for the developmentally disabled and for whom the Director of Developmental Services or the regional center is acting as conservator. Determination of the services provided for and residential placement of these limited conservatees are to be identified, delivered, and evaluated consistent with the individual program plan process described in Welfare and Institutions Code sections 4640–4659. (*See Prob. Code, § 2352.5(e).*)

VII. TEMPORARY CONSERVATOR

If the court appoints you as temporary conservator, you will generally have the same duties and authority as general conservators, **except** the conservatorship will end on the date specified in your *Letters of Temporary Conservatorship*. Most of the information in this form also applies to temporary conservatorships, but you must consult your attorney about which duties you will **not** perform because of the short duration of the temporary conservatorship appointment. A temporary conservator should avoid making long-term decisions or changes that could safely wait until a general conservator is appointed. As temporary conservator, you may not move a conservatee from his or her home, unless there is an emergency, or sell or give away the conservatee's home or any other assets without prior court approval.

Sign the *Acknowledgment of Receipt* on page 7.

CONSERVATORSHIP OF (Name): _____	CASE NUMBER: _____
CONSERVATEE	

VIII. JUDICIAL COUNCIL FORMS

This form identifies a number of Judicial Council forms used for court filings in conservatorship proceedings. This form, the petition for your appointment as conservator, and the order that appoints you as conservator are examples of Judicial Council forms. Judicial Council forms are either mandatory or optional. If a mandatory form applies to a situation or proposed action, it must be used. Optional forms may be used, at the option of the person preparing and filing the form or, in some situations, at the option of the court. Each form is identified on the bottom left side of its first page as optional or mandatory. Judicial Council forms are not available for every situation where a document may or must be filed with the court, but the forms address the most common and important matters that occur during a conservatorship. The *Handbook for Conservators* has additional information about Judicial Council conservatorship forms.

Your attorney will select and prepare the appropriate Judicial Council forms. However, if you do not have an attorney, you can prepare them yourself. All Judicial Council forms are posted on the California courts' public website, www.courts.ca.gov. Select "Forms" at the top of the site's home page, then select the form group in the drop-down menu in the middle of the page. All conservatorship forms are collected in the Probate—Guardianships and Conservatorships form group. They are designated with the prefix "GC," followed by a three-digit number. Forms shown in the drop-down list with an asterisk are mandatory forms.

The forms are posted on the website in both unfillable and fillable versions, as PDF files. The unfillable versions are designed to be completed by typewriter or, in some cases, by hand. Fillable forms may be filled out online, then printed out ready for signing and filing with the court, and they may also be saved to your computer and completed in more than one sitting. Go to the "Forms and Information" page at the Web site's Self-Help Center for more information on accessing the forms.

ACKNOWLEDGMENT OF RECEIPT of Duties of Conservator and Handbook for Conservators (Probate Code, § 1834)

I acknowledge that I have received this statement of the duties and liabilities of the office of conservator, the *Duties of Conservator* (form GC-348), and the *Handbook for Conservators* adopted by the Judicial Council.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

	▶	
(TYPE OR PRINT NAME)		(SIGNATURE OF (PROPOSED) CONSERVATOR)

Date:

	▶	
(TYPE OR PRINT NAME)		(SIGNATURE OF (PROPOSED) CONSERVATOR)

Date:

	▶	
(TYPE OR PRINT NAME)		(SIGNATURE OF (PROPOSED) CONSERVATOR)

NOTICE

This statement of duties and liabilities is a summary and is not a complete statement of the law. Your conduct as a conservator is governed by the law itself and not by this summary or by the Judicial Council's *Handbook for Conservators*. When in doubt, consult your attorney.

This notice does not require you to appear in court, but you may attend the hearing if you wish.

1. NOTICE is given that *(name)* :
(representative capacity, if any) :
has filed *(specify)* :

2. You may refer to documents on file in this proceeding for more information. *(Some documents filed with the court are confidential. Under some circumstances you or your attorney may be able to see or receive copies of confidential documents if you file papers in the proceeding or apply to the court.)*
3. ☐ The petition includes an application for the independent exercise of powers by a guardian or conservator under
☐ Probate Code section 2108 ☐ Probate Code section 2590.
Powers requested are ☐ specified below ☐ specified in Attachment 3.

4. A HEARING on the matter will be held as follows:

a. Date:	Time:	☐ Dept.:	☐ Room:
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b. Address of court ☐ same as noted above ☐ is *(specify)* :



☐ GUARDIANSHIP ☐ CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF (Name):	CASE NUMBER:
☐ MINOR ☐ (PROPOSED) CONSERVATEE	

NOTE:*

A copy of this *Notice of Hearing-Guardianship or Conservatorship* ("Notice") must be "served" on-delivered to each person who has a right under the law to be notified of the date, time, place and purpose of a court hearing in a guardianship or conservatorship. Copies of this Notice may be served by mail in most situations. In a guardianship, however, copies of this Notice must sometimes be personally served on certain persons; and copies of this Notice may be personally served instead of served by mail in both guardianships and conservatorships. The petitioner (the person who requested the court hearing) **may not personally perform either service by mail or personal service**, but must show the court that copies of this Notice have been served in a way the law allows. The petitioner does this by arranging for someone else to perform the service and complete and sign a proof of service, which the petitioner then files with the original Notice.

This page contains a proof of service that may be used only to show service by mail. To show personal service, each person who performs the service must complete and sign a proof of personal service, and each signed copy of that proof of service must be attached to this Notice when it is filed with the court. You may use form GC-020(P) to show personal service of this Notice.

* (This Note replaces the clerk's certificate of posting on prior versions of this form. If notice by posting is desired, attach a copy of form GC-020(C), Clerk's Certificate of Posting Notice of Hearing-Guardianship or Conservatorship. (See Prob. Code, § 2543(c).)

PROOF OF SERVICE BY MAIL

1. I am over the age of 18 and not a party to this cause. I am a resident of or employed in the county where the mailing occurred.
2. My residence or business address is (*specify*) :
3. I served the foregoing *Notice of Hearing-Guardianship or Conservatorship* on each person named below by enclosing a copy in an envelope addressed as shown below AND
 - a. ☐ **depositing** the sealed envelope with the United States Postal Service on the date and at the place shown in item 4 with the postage fully prepaid.
 - b. ☐ **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
4. a. Date mailed: _____ b. Place mailed (*city, state*) : _____
5. ☐ I served with the *Notice of Hearing-Guardianship or Conservatorship* a copy of the petition or other document referred to in the Notice.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____

(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)	 (SIGNATURE OF PERSON COMPLETING THIS FORM)
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NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

Name of person served

Address (number, street, city, state, and zip code)

1.		
2.		
3.		
4.		

☐ Continued on an attachment. (You may use form DE-120(MA)/GC-020(MA) to show additional persons served.)

ATTORNEY OR PARTY WITHOUT ATTORNEY: _____ STATE BAR NO.: _____ NAME: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (name): _____	<i>FOR COURT USE ONLY</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____ STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE of (name): _____ PROPOSED CONSERVATEE	
CITATION FOR CONSERVATORSHIP ☐ Limited Conservatorship	CASE NUMBER: _____

THE PEOPLE OF THE STATE OF CALIFORNIA,

To (name): _____

1. **You are hereby cited and required to appear at a hearing in this court on**

a. Date: _____	Time: _____	☐ Dept.: _____	☐ Room: _____
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b. Address of court: ☐ same as noted above ☐ other (specify) : _____

and to give any legal reason why, according to the verified petition filed with this court, you should not be found to be

☐ unable to provide for your personal needs ☐ unable to manage your financial resources and by reason thereof,
 why the following person should not be appointed ☐ conservator ☐ limited conservator of your ☐ person
☐ estate (name): _____

2. A conservatorship of the person may be created for a person who is unable properly to provide for his or her personal needs for physical health, food, clothing or shelter. A conservatorship of the property (estate) may be created for a person who is unable to resist fraud or undue influence, or who is substantially unable to manage his or her own financial resources. "Substantial inability" may not be proved solely by isolated incidents of negligence or improvidence.
3. At the hearing a conservator may be appointed for your ☐ person ☐ estate.
The appointment may affect or transfer to the conservator your right to contract, to manage and control your property, to give informed consent for medical treatment, to fix your place of residence, and to marry.
4. You may be disqualified from voting if you are found to be incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process. You will not be disqualified from voting on the basis that you do, or would need to do, any of the following to complete an affidavit of voter registration:
 - a. Sign the affidavit of voter registration with a mark or a cross, pursuant to Section 2150(b) of the Elections Code;
 - b. Sign the affidavit of voter registration by means of a signature stamp pursuant to Section 354.5 of the Elections Code;
 - c. Complete the affidavit of voter registration with the assistance of another person pursuant to Section 2150(d) of the Elections Code; or
 - d. Complete the affidavit of voter registration with reasonable accommodations.
5. The judge or the court investigator will explain to you the nature, purpose, and effect of the proceedings and answer questions concerning the explanation.

CONTINUED ON PAGE 2. THE CLERK'S SEAL IS ALSO ON THAT PAGE.

CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE of (name): PROPOSED CONSERVATEE	CASE NUMBER:
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6. You have the right to appear at the hearing and oppose the petition. You have the right to hire an attorney of your choice to represent you. The court will appoint an attorney to represent you if you are unable to retain one. You must pay the cost of that attorney if you are able. You have the right to a jury trial if you wish.
7. *(For limited conservatorship only)* In addition to the rights stated in item 6 above, you have the right to oppose the petition in part by objecting to any or all of the requested duties or powers of the limited conservator.

Date: _____ Clerk, by _____, Deputy

(SEAL)

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code section 54.8.)



CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE of (name): _____ PROPOSED CONSERVATEE	CASE NUMBER: _____
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PROOF OF SERVICE

1. At the time of service I was at least 18 years of age and not a party to this proceeding. I **served copies** of the *Citation for Conservatorship* and the *Petition for Appointment of Probate Conservator* (form GC-310) as follows:

2. a. Person cited (name): _____
 b. Person served: (1) ☐ person in item 2a
 (2) ☐ other (specify name and title or relationship to the person named in item 2a): _____

 c. Address (specify) : _____

3. I served the person named in item 2
 - a. ☐ **by personally delivering** the copies (1) on (date): _____ (2) at (time): _____
 - b. ☐ **by mailing** the copies to the person served, addressed as shown in item 2c, by first-class mail, postage prepaid,
 - (1) on (date): _____ (2) from (city): _____
 - (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt - Civil* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt - Civil* (form POS-015).)
 - (4) ☐ to an address outside California with return receipt requested. (Attach completed return receipt.)
 - c. ☐ **other** (specify other manner of service, and the authorizing code section and order of the court): _____

4. a. Person serving (name, address, and telephone number): _____

 b. ☐ Fee for service: \$ _____
 c. ☐ Not a registered California process server.
 d. ☐ Exempt from registration under Business and Professions Code section 22350(b).
 e. ☐ Registered California process server.
 - (1) ☐ Employee or independent contractor.
 - (2) Registration no. (specify): _____
 - (3) County (specify): _____
 - (4) Expiration (date): _____

5. ☐ I **declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
6. ☐ I **am a California sheriff or marshal** and I certify that the foregoing is true and correct.

Date: _____



(SIGNATURE OF PERSON SERVING)

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CONSERVATORSHIP OF (name):	
ORDER APPOINTING ☐ SUCCESSOR PROBATE CONSERVATOR OF THE ☐ PERSON ☐ ESTATE ☐ Limited Conservatorship	CASE NUMBER:
WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.	

1. The petition for appointment of ☐ successor conservator came on for hearing as follows
 (check boxes c, d, e, and f or g to indicate personal presence):
- a. Judicial officer (name):
- b. Hearing date: Time: ☐ Dept.: ☐ Room:
- c. ☐ Petitioner (name):
- d. ☐ Attorney for petitioner (name):
- e. ☐ Attorney for ☐ person cited ☐ the conservatee on petition to appoint successor conservator:
 (Name): (Telephone):
 (Address):
- f. ☐ Person cited was ☐ present. ☐ unable to attend. ☐ able but unwilling to attend. ☐ out of state.
- g. ☐ The conservatee on petition to appoint successor conservator was ☐ present. ☐ not present.

THE COURT FINDS

2. All notices required by law have been given.
3. Granting the conservatorship is the least restrictive alternative needed for the protection of the conservatee.
4. (Name):
- a. ☐ is unable properly to provide for his or her personal needs for physical health, food, clothing, or shelter.
- b. ☐ is substantially unable to manage his or her financial resources or to resist fraud or undue influence.
- c. ☐ has voluntarily requested appointment of a conservator and good cause has been shown for the appointment.
5. The conservatee
- a. ☐ is an adult.
- b. ☐ will be an adult on the effective date of this order.
- c. ☐ is a married minor.
- d. ☐ is a minor whose marriage has been dissolved.
6. ☐ There is no form of medical treatment for which the conservatee has the capacity to give an informed consent.
☐ The conservatee is an adherent of a religion defined in Probate Code section 2355(b).
7. ☐ Granting the ☐ successor conservator powers to be exercised independently under Probate Code section 2590 is to the advantage and benefit and in the best interest of the conservatorship estate.
8. ☐ The conservatee cannot communicate, with or without reasonable accommodations, a desire to participate in the voting process.

Do NOT use this form for a temporary conservatorship.

CONSERVATORSHIP OF (name): CONSERVATEE	CASE NUMBER:
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9. ☐ The conservatee has dementia as defined in Probate Code section 2356.5, and the court finds all other facts required to make the orders specified in item 28.
10. ☐ Attorney (name): _____ has been appointed by the court as legal counsel to represent the conservatee in these proceedings. The cost for representation is: \$
 The conservatee has the ability to pay ☐ all ☐ none ☐ a portion of this sum (specify): \$
11. ☐ The conservatee need not attend the hearing.
12. ☐ The appointed court investigator is (name): _____
 (Address and telephone): _____
13. ☐ (For limited conservatorship only) The limited conservatee is developmentally disabled as defined in Probate Code section 1420.
14. ☐ The ☐ successor conservator is a professional fiduciary as defined by Business and Professions Code section 6501(f).
15. ☐ The ☐ successor conservator holds a valid, unexpired, unsuspended license as a professional fiduciary issued by the Professional Fiduciaries Bureau of the California Department of Consumer Affairs under chapter 6 (commencing with section 6500) of division 3 of the Business and Professions Code.
 License no.: _____ Issuance or last renewal date: _____ Expiration date: _____
16. (Either a, b, or c must be checked):
 a. ☐ The ☐ successor conservator is not the spouse of the conservatee.
 b. ☐ The ☐ successor conservator is the spouse of the conservatee and is not a party to an action or proceeding against the conservatee for legal separation, dissolution, annulment, or adjudication of nullity of their marriage.
 c. ☐ The ☐ successor conservator is the spouse of the conservatee and is a party to an action or proceeding against the conservatee for legal separation, dissolution, annulment, or adjudication of nullity of their marriage. It is in the best interest of the conservatee to appoint the spouse as ☐ successor conservator.
17. (Either a, b, or c must be checked):
 a. ☐ The ☐ successor conservator is not the domestic partner or former domestic partner of the conservatee.
 b. ☐ The ☐ successor conservator is the domestic partner of the conservatee and has neither terminated nor intends to terminate their domestic partnership.
 c. ☐ The ☐ successor conservator is the domestic partner or former domestic partner of the conservatee and intends to terminate or has terminated their domestic partnership. It is in the best interest of the conservatee to appoint the domestic partner or former domestic partner as ☐ successor conservator.

THE COURT ORDERS

18. a. (Name): _____ (Telephone): _____
 (Address): _____
- is appointed** ☐ successor ☐ conservator ☐ limited conservator of the PERSON of (name): _____
 and Letters of Conservatorship shall issue upon qualification.
- b. (Name): _____ (Telephone): _____
 (Address): _____
- is appointed** ☐ successor ☐ conservator ☐ limited conservator of the ESTATE of (name): _____
 and Letters of Conservatorship shall issue upon qualification.
19. ☐ The conservatee need not attend the hearing.
20. a. ☐ Bond is not required.
 b. ☐ Bond is fixed at: \$ _____ to be furnished by an authorized surety company or as otherwise provided by law.
 c. ☐ Deposits of: \$ _____ are ordered to be placed in a blocked account at (specify institution and location): _____

and receipts shall be filed. No withdrawals shall be made without a court order.

☐ Additional orders in attachment 20c.

CONSERVATORSHIP OF (name): CONSERVATEE	CASE NUMBER:
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20. (cont.)

d. ☐ The ☐ successor conservator is not authorized to take possession of money or any other property without a specific court order.

21. ☐ For legal services rendered, ☐ conservatee ☐ conservatee's estate shall pay the sum of: \$

to (name):

☐ forthwith ☐ as follows

(specify terms, including any combination of payors):

☐ Continued in attachment 21.

22. ☐ The conservatee is disqualified from voting.

23. ☐ The conservatee lacks the capacity to give informed consent for medical treatment and the ☐ successor conservator of the person is granted the powers specified in Probate Code section 2355.

☐ The treatment shall be performed by an accredited practitioner of a religion as defined in Probate Code section 2355(b).

24. ☐ The ☐ successor conservator of the estate is granted authorization under Probate Code section 2590 to exercise independently the powers specified in attachment 24 ☐ subject to the conditions provided.

25. ☐ Orders relating to the capacity of the conservatee under Probate Code sections 1873 or 1901 as specified in attachment 25 are granted.

26. ☐ Orders relating to the powers and duties of the ☐ successor conservator of the person under Probate Code sections 2351-2358 as specified in attachment 26 are granted. (Do not include orders under Probate Code section 2356.5 relating to dementia.)

27. ☐ Orders relating to the conditions imposed under Probate Code section 2402 on the ☐ successor conservator of the estate as specified in attachment 27 are granted.

28. ☐ a. ☐ The ☐ successor conservator of the person is granted authority to place the conservatee in a care or nursing facility described in Probate Code section 2356.5(b).

b. ☐ The ☐ successor conservator of the person is granted authority to authorize the administration of medications appropriate for the care and treatment of dementia described in Probate Code section 2356.5(c).

29. ☐ Other orders as specified in attachment 29 are granted.

30. ☐ The probate referee appointed is (name and address):

31. ☐ (For limited conservatorship only) Orders relating to the powers and duties of the ☐ successor limited conservator of the person under Probate Code section 2351.5 as specified in attachment 31 are granted.

32. ☐ (For limited conservatorship only) Orders relating to the powers and duties of the ☐ successor limited conservator of the estate under Probate Code section 1830(b) as specified in attachment 32 are granted.

33. ☐ (For limited conservatorship only) Orders limiting the civil and legal rights of the limited conservatee as specified in attachment 33 are granted.

34. ☐ This order is effective on the ☐ date signed ☐ date minor attains majority (specify):

35. Number of boxes checked in items 18-34:

36. Number of pages attached:

Date:

JUDICIAL OFFICER

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

ATTORNEY OR PARTY WITHOUT ATTORNEY (name, address, and State Bar number):

After recording return to:

TEL NO.:

FAX NO. (optional):

E-MAIL ADDRESS (optional):

ATTORNEY FOR (name):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

STREET ADDRESS:

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME:

FOR RECORDER'S USE ONLY

CONSERVATORSHIP OF (name):

CASE NUMBER:

CONSERVATEE

LETTERS OF CONSERVATORSHIP

☐ Person☐ Estate☐ Limited Conservatorship

FOR COURT USE ONLY

1. ☐ (Name): _____ is the appointed
☐ conservator ☐ limited conservator of the ☐ person ☐ estate
of (name): _____
2. ☐ (For conservatorship that was on December 31, 1980, a guardianship of an adult or of
the person of a married minor) (Name): _____
was appointed the guardian of the ☐ person ☐ estate by order dated
(specify): _____ and is now the conservator of the ☐ person
☐ estate of (name): _____
3. ☐ Other powers have been granted or conditions imposed as follows:
 - a. ☐ Exclusive authority to give consent for and to require the conservatee to receive
medical treatment that the conservator in good faith based on medical advice
determines to be necessary even if the conservatee objects, subject to the limitations
stated in Probate Code section 2356.
 - (1) ☐ This treatment shall be performed by an accredited practitioner of the religion whose tenets and practices call
for reliance on prayer alone for healing of which the conservatee was an adherent prior to the establishment of
the conservatorship.
 - (2) ☐ (If court order limits duration) This medical authority terminates on (date): _____
 - b. ☐ Authority to place the conservatee in a care or nursing facility described in Probate Code section 2356.5(b).
 - c. ☐ Authority to authorize the administration of medications appropriate for the care and treatment of dementia described in
Probate Code section 2356.5(c).
 - d. ☐ Powers to be exercised independently under Probate Code section 2590 are specified in Attachment 3d (specify powers,
restrictions, conditions, and limitations).
 - e. ☐ Conditions relating to the care and custody of property under Probate Code section 2402 are specified in Attachment 3e.
 - f. ☐ Conditions relating to the care, treatment, education, and welfare of the conservatee under Probate Code section 2358
are specified in Attachment 3f.
 - g. ☐ (For limited conservatorship only) Powers of the limited conservator of the person under Probate Code section 2351.5 are
specified in Attachment 3g.
 - h. ☐ (For limited conservatorship only) Powers of the limited conservator of the estate under Probate Code section 1830(b) are
specified in Attachment 3h.
 - i. ☐ Other powers granted or conditions imposed are specified in Attachment 3i.

(SEAL)

4. ☐ The conservator is **not** authorized to take possession of money or any other property without a
specific court order.

5. Number of pages attached:

WITNESS, clerk of the court, with seal of the court affixed.

Date:

Clerk, by _____, Deputy

Page 1 of 2

This form may be recorded as notice of the establishment of a conservatorship of the estate as provided in Probate Code §1875.

CONSERVATORSHIP OF (name):	CASE NUMBER:
CONSERVATEE	

NOTICE TO INSTITUTIONS AND FINANCIAL INSTITUTIONS
(Probate Code sections 2890-2893)

When these *Letters of Conservatorship* (Letters) are delivered to you as an employee or other representative of an *institution* or *financial institution* (described below) in order for the conservator of the estate (1) to take possession or control of an asset of the conservatee named above held by your institution (including changing title, withdrawing all or any portion of the asset, or transferring all or any portion of the asset) or (2) to open or change the name of an account or a safe-deposit box in your financial institution to reflect the conservatorship, you must fill out Judicial Council form GC-050 (for an institution) or form GC-051 (for a financial institution). An officer authorized by your institution or financial institution must date and sign the form, and you must file the completed form with the court.

There is no filing fee for filing the form. You may either arrange for personal delivery of the form or mail it to the court for filing at the address given for the court on page 1 of these Letters.

The conservator should deliver a blank copy of the appropriate form to you with these Letters, but it is your institution's or financial institution's responsibility to complete the correct form, have an authorized officer sign it, and file the completed form with the court. If the correct form is not delivered with these Letters or is unavailable for any other reason, blank copies of the forms may be obtained from the court. The forms may also be accessed from the judicial branch's public Web site free of charge. The Internet address (URL) is www.courts.ca.gov/forms/. Select the form group *Probate—Guardianships and Conservatorships* and scroll down to form GC-050 for an institution or form GC-051 for a financial institution. The forms may be printed out as blank forms and filled in by typewriter or may be filled out online and printed out ready for signature and filing.

An *institution* under California Probate Code section 2890(c) is an insurance company, agent, or broker; an investment company; an investment bank; a securities broker-dealer; an investment advisor; a financial planner; a financial advisor; or any other person who takes, holds, or controls an asset subject to a conservatorship or guardianship other than a financial institution. Institutions must file a *Notice of Taking Possession or Control of an Asset of Minor or Conservatee* (form GC-050) for an asset of the conservatee held by the institution. A single form may be filed for all affected assets held by the institution.

A *financial institution* under California Probate Code section 2892(b) is a bank, a trust, a savings and loan association, a savings bank, an industrial bank, or a credit union. Financial institutions must file a *Notice of Opening or Changing a Guardianship or Conservatorship Account or Safe-Deposit Box* (form GC-051) for an account or a safe-deposit box held by the financial institution. A single form may be filed for all affected accounts or safe-deposit boxes held by the financial institution.

LETTERS OF CONSERVATORSHIP
AFFIRMATION

I solemnly affirm that I will perform according to law the duties of ☐ conservator ☐ limited conservator.

Executed on (date): _____, at (place): _____

(TYPE OR PRINT NAME)

(SIGNATURE OF APPOINTEE)

CERTIFICATION

I certify that this document, including any attachments, is a correct copy of the original on file in my office, and that the Letters issued to the person appointed above have not been revoked, annulled, or set aside, and are still in full force and effect.

(SEAL)

Date:

Clerk, by _____, Deputy

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
TEMPORARY CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF (Name): _____ CONSERVATEE	
ORDER APPOINTING TEMPORARY CONSERVATOR	CASE NUMBER: _____
WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.	

1. The petition for appointment of a temporary conservator came on for hearing as follows (check boxes c-j to indicate personal presence):

- a. Judicial officer (name): _____
- b. Hearing date: _____ Time: _____ ☐ Dept.: _____ ☐ Room: _____
- c. ☐ Petitioner (name): _____
- d. ☐ Attorney for petitioner (name): _____
- e. ☐ Conservatee (name): _____
- f. ☐ Attorney for conservatee (name): _____
- g. ☐ Conservatee's spouse or registered domestic partner, and relatives (names and relationships): _____

h. ☐ Attorneys for persons listed in item g (names and persons represented): _____

- i. ☐ Public Guardian (name): _____
- j. ☐ Attorney for Public Guardian (name): _____

THE COURT FINDS

- 2. a. ☐ Notice of time and place of hearing has been given as required by law.
 b. ☐ Notice of time and place of hearing has been modified or dispensed with under *Order on Ex Parte Application for Good Cause Exception to Notice on Petition for Appointment of Temporary Conservator* filed on (date): _____
- 3. ☐ It is necessary that a temporary conservator be appointed to ☐ provide for temporary care, maintenance, and support
☐ protect property from loss or injury
 - a. ☐ pending the hearing on the petition for appointment of a general conservator.
 - b. ☐ pending an appeal under Probate Code section 1301.
 - c. ☐ during the suspension of powers of the conservator.
- 4. ☐ To prevent irreparable harm, the residence of the conservatee must be changed. No means less restrictive of the conservatee's liberty will prevent irreparable harm.

TEMPORARY CONSERVATORSHIP OF

(Name):

CONSERVATEE

CASE NUMBER:

5. ☐ The conservatee must be removed from the State of California to permit the performance of nonpsychiatric medical treatment essential to the conservatee's physical survival. The conservatee consents to this medical treatment.

6. ☐ The conservatee need not attend the hearing.

THE COURT ORDERS

7. a. ☐ (Name):

(Address):

(Telephone):

is appointed temporary conservator of the PERSON of (name):

and Letters shall issue upon qualification.

b. ☐ (Name):

(Address):

(Telephone):

is appointed temporary conservator of the ESTATE of (name):

and Letters shall issue upon qualification.

8. a. ☐ Bond is not required.

b. ☐ Bond is fixed at: \$

to be furnished by an authorized surety company or as otherwise provided by law.

c. ☐ Deposits of: \$

are ordered to be placed in a blocked account at (specify institution and location):

and receipts shall be filed. No withdrawals shall be made without a court order. ☐ Additional orders in attachment 8c.

d. ☐ The temporary conservator is not authorized to take possession of money or any other property without a specific court order.

9. ☐ The temporary conservator is authorized to change the residence of the conservatee to (address):

10. ☐ The temporary conservator is authorized to remove the conservatee from the State of California to the following address to permit the performance of nonpsychiatric medical treatment essential to the conservatee's physical survival (address):

11. ☐ The conservatee need not attend the hearing.

12. ☐ In addition to the powers granted by law, the temporary conservator is granted other powers. These powers are specified

☐ in attachment 12 ☐ below (specify):

13. ☐ Other orders as specified in attachment 13 are granted.

14. ☐ Unless modified by further order of the court, this order expires on (date):

15. Number of boxes checked in items 7-14: _____

16. Number of pages attached: _____

Date: _____

JUDICIAL OFFICER

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

GC-150

ATTORNEY OR PARTY WITHOUT ATTORNEY (*name, address, and State Bar number*):

After recording, return to:

TEL NO.:

FAX NO. (*optional*):E-MAIL ADDRESS (*optional*):ATTORNEY FOR (*name*):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

STREET ADDRESS:

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME:

FOR RECORDER'S USE ONLY

TEMPORARY ☐ GUARDIANSHIP ☐ CONSERVATORSHIP
OF (*name*):

CASE NUMBER:

☐ MINOR☐ CONSERVATEELETTERS OF TEMPORARY ☐ GUARDIANSHIP ☐ CONSERVATORSHIP
☐ Person ☐ Estate

FOR COURT USE ONLY

LETTERS

1. (*Name*):is appointed temporary ☐ guardian ☐ conservator of the ☐ person
☐ estate of (*name*):2. ☐ Other powers that have been granted or restrictions imposed on the temporary
☐ guardian ☐ conservator are ☐ specified in Attachment 2.
☐ specified below:

3. These Letters shall expire

a. ☐ on (*date*): or upon earlier issuance of Letters to a general guardian or conservator.b. ☐ on other date (*specify*):4. ☐ The temporary ☐ guardian ☐ conservator is not authorized to take possession of money or any other property
without a specific court order.

5. Number of pages attached:

WITNESS, clerk of the court, with seal of the court affixed.

(SEAL)

Date:

Clerk, by _____, Deputy

TEMPORARY ☐ GUARDIANSHIP ☐ CONSERVATORSHIP OF (name): ☐ MINOR ☐ CONSERVATEE	CASE NUMBER:
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NOTICE TO INSTITUTIONS AND FINANCIAL INSTITUTIONS
(Probate Code sections 2890-2893)

When these *Letters of Temporary Guardianship* or *Letters of Temporary Conservatorship* (Letters) are delivered to you as an employee or other representative of an *institution* or *financial institution* (described below) in order for the temporary guardian or temporary conservator of the estate (1) to take possession or control of an asset of the minor or conservatee named above held by your institution (including changing title, withdrawing all or any portion of the asset, or transferring all or any portion of the asset) or (2) to open or change the name of an account or a safe-deposit box in your financial institution to reflect the guardianship or conservatorship, you must fill out Judicial Council form GC-050 (for an institution) or form GC-051 (for a financial institution). An officer authorized by your institution or financial institution must date and sign the form, and you must file the completed form with the court.

There is no filing fee for filing the form. You may either arrange for personal delivery of the form or mail it to the court for filing at the address given for the court on page 1 of these Letters.

The temporary guardian or temporary conservator should deliver a blank copy of the appropriate form to you with these Letters, but it is your institution's or financial institution's responsibility to complete the correct form, have an authorized officer sign it, and file the completed form with the court. If the correct form is not delivered with these Letters or is unavailable for any other reason, blank copies of the forms may be obtained from the court. The forms may also be accessed from the judicial branch's public Web site free of charge. The Internet address (URL) is www.courts.ca.gov/forms/. Select the form group *Probate—Guardianships and Conservatorships* and scroll down to form GC-050 for an institution or form GC-051 for a financial institution. The forms may be printed out as blank forms and filled in by typewriter, or may be filled out online and printed out ready for signature and filing.

An *institution* under California Probate Code section 2890(c) is an insurance company, insurance broker, insurance agent, investment company, investment bank, securities broker-dealer, investment advisor, financial planner, financial advisor, or any other person who takes, holds, or controls an asset subject to a conservatorship or guardianship other than a financial institution. Institutions must file a *Notice of Taking Possession or Control of an Asset of Minor or Conservatee* (form GC-050) for an asset of the minor or conservatee held by the institution. A single form may be filed for all affected assets held by the institution.

A *financial institution* under California Probate Code section 2892(b) is a bank, trust (including a Totten trust account but excluding other trust arrangements described in Probate Code section 82(b)), savings and loan association, savings bank, industrial bank, or credit union. Financial institutions must file a *Notice of Opening or Changing a Guardianship or Conservatorship Account or Safe-Deposit Box* (form GC-051) for an account or a safe deposit box held by the financial institution. A single form may be filed for all affected accounts or safe deposit boxes held by the financial institution.

LETTERS OF TEMPORARY

☐ **GUARDIANSHIP**

☐ **CONSERVATORSHIP**

AFFIRMATION

I solemnly affirm that I will perform according to law the duties of temporary ☐ guardian. ☐ conservator.

Executed on (date): _____, at (place): _____

 (TYPE OR PRINT NAME)

 (SIGNATURE OF APPOINTEE)

CERTIFICATION

I certify that this document, including any attachments, is a correct copy of the original on file in my office and that the Letters issued to the person appointed above have not been revoked, annulled, or set aside and are still in full force and effect.

(SEAL)

Date: _____

Clerk, by _____, Deputy