



# NEWS RELEASE

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JUDICIAL COUNCIL OF  
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## Public Comment Sought on Proposals to Increase Protection of Conservatees

### *Panel Proposes Bill of Rights, Other Key Reforms; Comments Due by Friday, June 29, 2007*

San Francisco—The Judicial Council's Probate Conservatorship Task Force is circulating its draft final report for public comment. The draft report provides recommendations to improve the management of probate conservatorship cases in California's trial courts and increase protections for conservatees. Conservatorship cases involve a court's assuming oversight of persons who are unable to take care of themselves or their property.

The 22-member panel, appointed last year by Chief Justice Ronald M. George, has developed a wide range of recommendations that will be presented to the Judicial Council for approval later this year, following input from the public and the courts. The task force is chaired by Administrative Presiding Justice Roger W. Boren, of the Court of Appeal, Second Appellate District (Los Angeles).

Key recommendations include the following:

**Bill of rights:** Establish a written bill of rights for conservatees, including procedural rights of due process and a clear statement that conservatees be allowed the greatest degree of freedom possible consistent with the underlying reasons for their conservatorship.

**One judge for all purposes:** Recommend that trial courts assign each conservatorship a judge for all purposes who will preside over all of that conservatee's matters from start to finish. Such a practice will help insure that the judicial oversight is continually informed and consistent.

(more)

**Findings for conservatorships:** Require that before a court can impose a conservatorship, the trial judge must find that the proposed conservatee has impaired mental functions and either cannot provide properly for his or her other personal needs (such as food, clothing, shelter) or cannot manage his or her financial resources (that is, the proposed conservatee is unable to resist the fraudulent influences of others).

**Education:** Expand training and educational programs for probate court investigators, attorneys, examiners, and judicial officers.

**Funding:** Encourage the Legislature to adequately fund probate court services to ensure that the judiciary has the ability to carry out all statutory mandates and to enable courts and their fiduciary elements to safeguard the lives and estates of conservatees.

The complete recommendations appear on the California Courts Web site at [www.courtinfo.ca.gov/jc/tflists/probcons.htm](http://www.courtinfo.ca.gov/jc/tflists/probcons.htm). Comments should be submitted by e-mail or by mail by June 29, 2007 to:

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