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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

Conservatorship of the Person of MELISA  
JEAN HERMANS.

MELISA JEAN HERMANS,

Petitioner and Appellant,

v.

RANDEL HERMANS as Co-Conservator,  
etc. et al.,

Objectors and Respondents.

G047464

(Super. Ct. No. 30-2009-00325525)

O P I N I O N

Appeal from a judgment of the Superior Court of Orange County, Mary  
Fingal Schulte, Judge. Affirmed.

Neil R. Trop, under appointment by the Court of Appeal, for Petitioner and  
Appellant.

Randel D. Hermans, in pro. per., for Objectors and Respondents.

Melisa Jean Hermans filed a petition for modification of limited conservatorship and a petition for termination of general probate conservatorship. The conservators, her parents, Randel D. Hermans and Trudy J. Hermans, and her sister, Jacquita Thomassen, opposed the petitions.<sup>1</sup> After considering the moving papers and hearing testimony, the trial court terminated the probate conservatorship and replaced it with a limited conservatorship. Melisa argues there was insufficient evidence to support a portion of the trial court's order establishing a limited conservatorship. We disagree and affirm the judgment.

#### FACTS<sup>2</sup>

In November 1998, Randel and Trudy filed a petition for appointment of a probate conservator of the person for then 17-year-old Melisa. The petition alleged Melisa has Prader-Willi syndrome, which impairs her ability to make critical decisions involving living arrangements, finances, medical care, diet, and social and contractual relationships. In January 1999, the trial court granted Randel and Trudy's petition and letters of conservatorship were issued.

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<sup>1</sup> For ease of reference, we refer to the parties by their first names and intend no disrespect.

<sup>2</sup> Throughout the opinion, we refer to facts taken from various confidential reports, including a June 5, 2005, court investigator's report, a February 17, 2011, report from the Regional Center of Orange County (Regional Center), a August 22, 2011, court investigator's report, and a June 20, 2012, Regional Center addendum.

We understand the delicate nature of the personal information in these reports, and appreciate Melisa's, and her family's, privacy interests in keeping this information confidential. Much of the information contained in the confidential reports is also found in other documents filed with the trial court that are not confidential. And some of the information was included in testimony offered at trial, which is not confidential. Where we have provided facts from the confidential reports that are not found in other non-confidential reports or testimony, we have strived to present the information in a manner that protects Melisa's and her family's right to privacy.

A June 2000 review report stated Melisa did not wish to terminate the conservatorship and recommended the conservatorship continue. The report, however, indicated Melisa was thriving in her living situation. The report stated she was taking two classes at a local junior college and volunteering in a local high school library.

In December 2008, Jacquita filed a petition for appointment of co-conservator of the person of Melisa. About four months later, the trial court granted Jacquita's petition and letters of conservatorship were issued.

After Melisa moved to a new group home in Anaheim, the case was transferred from Ventura County Superior Court to Orange County Superior Court in September 2009. In May 2010, the trial court appointed the Orange County Public Defender to represent Melisa.

A 2010 second quarter progress report from the group home stated Melisa would like to stay at the group home, find a job, and continue to lose weight. The report said she wants to be as independent as possible and would eventually like to live in supported living. The report stated: "Melisa is a bright young woman who is capable of many things. She is independent in most adaptive living skills. She needs very minimum reminders or prompts." The report said she was healthy overall and she scored on the borderline range on her most recent IQ test.

In November of that year, then 29-year-old Melisa filed a petition for modification of limited conservatorship. Melisa sought to modify the conservatorship "by removing the power to control social and sexual contacts and the power to control marriage." She wanted to be in a consensual adult relationship with a member of her group home (Boyfriend), and she wanted to develop relationships with his family. She also wanted the freedom to marry. Melisa had been dating Boyfriend for almost three years, and Jacquita and her parents opposed them engaging in a sexual relationship.

On February 17, 2011, the Regional Center prepared a confidential report (the Report), which was based on Regional Center records, in response to the petition for modification. The Report stated Melisa is developmentally disabled (Welf. & Inst. Code, § 4512), but her disability is not so severe that she requires a general or limited conservatorship. The Report said Melisa independently performs her daily living activities, has a developed vocabulary, is employed, is very social, and enjoys spending time with Boyfriend. The Report opined the group home where she resides “is the least restrictive and most appropriate option for her.” The Report stated Melisa has Prader-Willi syndrome, described its symptoms, and detailed her health. The Report explained Melisa manages her finances with some minimal help from the conservators and “can independently make purchases most of the time.” The Report said the reason for the petition for modification is Melisa’s desire to have a boyfriend and have an intimate relationship. The Report recounted the conservators’ beliefs Boyfriend’s Mother (Mother) instigated the dispute and encouraged Melisa to contest the conservatorship to facilitate the relationship between her son, Boyfriend, and Melisa. The Report stated Melisa is capable of making her own decisions and handling her own affairs and recommended the conservatorship be terminated.

Randel, Trudy, and Jacquita acting in propria persona opposed the petition the following week. They explained Melisa’s medical condition and that she requires 24-hour supervision because she is unable to perform life’s basic functions, one of which is to control her eating. The conservators stated those inflicted with Prader-Willi syndrome have insatiable appetites and can “literally” eat themselves to death. They said that because Melisa is obsessive compulsive, she became fixated on Boyfriend, a resident of the group home who also has Prader-Willi syndrome. The conservators explained the group home does not permit sexual relationships between residents, and they do not oppose the platonic relationship because the group home employees, conservators, and Boyfriend’s father supervise them. They claimed Mother, however, was a negative

influence on Melisa. The conservators stated that in June 2009, Mother called Trudy and asked her to share the cost of a motel room so Boyfriend and Melisa could have sexual relations.<sup>3</sup> They added that Melisa was permitted to attend outside activities with Boyfriend and Mother and on one occasion at a local amusement park, Melisa had an emotional outburst where she said she ““had a dead baby in her body.”” She did not. When conservators forbade Melisa from participating in outside activities with Mother, Melisa became angry and berated her family for many months. In May 2010, conservators met with Mother at the Regional Center to discuss Mother’s “interest in interacting and commanding the direction of Melisa and [Boyfriend’s] relationship[,]” and the conservators opposed Mother’s request to arrange for a motel room and threatened to obtain a restraining order against Mother. When the conservators asked Mother to communicate with Melisa only at the group home in the presence of staff, Mother responded she would ““probably not be able to do that[,]”” and group home staff subsequently caught Melisa speaking with Mother on Boyfriend’s cellular telephone on numerous occasions. They claimed Melisa resisted the conservators’ efforts to encourage her to attend sex education classes and counseling. They explained the conservators were concerned because there is a risk Prader-Willi syndrome females will have offspring inflicted with Angelman syndrome, which is a neuro-genetic disorder characterized by severe intellectual and developmental disability, and Melisa has a reproductive system deformity that complicates pregnancy. To summarize, the conservators opposed the petition to modify the conservatorship on the grounds Melisa is incapacitated (she cannot care for herself or control her eating), and Mother coerces Melisa into unhealthy activities.

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<sup>3</sup> There was evidence this is the normal group home practice.

The opposition included exhibits, including the 2010 second quarter progress report, prior court filings, medical records, and a February 2011 declaration from the group home director, Zlyna Andaya, opposing the modification. Much of Andaya's "declaration" was included verbatim in the opposition.

Two months later, Melisa filed a petition for termination of the general probate conservatorship. The petition explained that since the filing of the petition for modification, the Regional Center prepared a report indicating Melisa "had advanced enough to no longer require even a [l]imited [p]robate [c]onservatorship . . . ." The petition listed seven reasons for terminating the conservatorship and stated Melisa "has made sufficient progress to be able to assert her own preferences," with the assistance of the Regional Center and her family. One of the reasons Melisa sought termination of the conservatorship was she "is capable of engaging in an adult relationship, including intimacy[.]" In counsel's declaration supporting the petition, counsel claimed the Regional Center supports termination of the conservatorship.

Randel, Trudy, and Jacquita acting in propria persona opposed the petition the following month. In addition to providing the factual background of the case, the conservators explained a behavioralist and Melisa's gynecologist both opined Melisa "did not fully understand the ramification and it would not be in her best interest to engage in sexual activity." (Emphasis omitted.) The conservators opposed termination of the conservatorship because of Melisa's food obsessions (she was caught eating from a public trashcan and ate 28 corn dogs in one sitting), physical genetic deformity, and mental incapacity. They stated that although Melisa should be able to have several rights, she should not be allowed to select her own residence, choose her own day program, make independent purchases in the long term, execute specified consent of medical records, provide informed consent of medical care, or engage in adult intimacy. The conservators stated the Regional Center report recommending termination was based on many factual errors and Melisa was not interviewed before the report was prepared. The

opposition again included exhibits, including the 2010 second quarter progress report, prior court filings, medical records, a May 2011 declaration from Andaya opposing the termination, and an “opposition” from Randel.

In August 2011, a court investigator prepared a “Confidential Report” for preappointment termination (the Confidential Report). The investigator stated that during their interview, Melisa told her that she would like to have the conservatorship terminated because she would like to control her social and sexual relationships. Melisa explained her parents control her social life and ruined her relationship with her Boyfriend, but “[M]other was helping her,” and she wants to reunite with Boyfriend. Melisa told the investigator she took sexual education courses in high school. She added, “I know about condoms and . . . [B]oyfriend’s [M]other told me that there was not a condom big enough for my [B]oyfriend, but [she was] sure it would fit.” She said Mother told her “condoms were unnecessary.” She added that the group home staff did not support the idea of Melisa and Boyfriend having a relationship. Melisa told the investigator she would prefer to live in an apartment independently with the assistance of the Regional Center. The investigator said Melisa’s care provider feels the conservatorship should not be terminated because Melisa cannot control her diet without supervision and she is susceptible to being taken advantage of financially. The investigator explained the conservators want the conservatorship continued because they are worried about Melisa’s health and the consequences of engaging in sexual activity. The investigator explained “[i]t is unknown” whether Melisa will be able to independently provide for herself and does not fully understand her medical care needs. The investigator said Mother provided her with incorrect information about sexual matters and the investigator recommended sexual education and safety awareness courses. The investigator recommended the general conservatorship be modified to a limited conservatorship.

In June 2012, the Regional Center prepared an addendum to the confidential report (the Addendum) to clarify the Report and revise its recommendations. The Addendum explained that since the Report was prepared, a Regional Center psychologist and risk manager met with Melisa to discuss the conservatorship. The Addendum stated Melisa contacted the public defender's office to explore her options when she recently learned she was the subject of a general conservatorship and not a limited conservatorship. The Addendum said Melisa wanted the right to control her own social and sexual contacts, and consent to medical treatment, specifically the right to make birth control choices. The Addendum stated Melisa's goal was to live independently in four years. It added that she believes she can manage her own financial affairs and will not keep food at her apartment, but will instead, "go to McDonald's every day to purchase a 'healthy breakfast.'" The Addendum said there appeared to be a miscommunication between the conservators and Melisa over birth control, and Melisa is resisting Trudy's desire that she take sexual education classes because she already took them in high school. The Addendum stated Melisa wants to be a mother. The Addendum provided how Melisa's finances are managed, and explained she overdrew her bank account trying to pay a credit card bill for an Internet dating site. The Addendum explained that after speaking with the psychologist and risk manager, Melisa agreed the conservators should have the power to control her residence, limit her right to contract, make decisions about her education, and have access to her confidential records. It added that Melisa would like to share the right to control medical decisions and she alone should have the power to control her own social and sexual relationships. The Addendum stated Melisa does not require a general conservatorship but instead would benefit from a limited conservatorship that granted the conservators the powers Melisa agreed should be retained by the conservators.

The matter was finally tried in August 2012. Dr. Michelle Grayden, Jacquita, Randel, and Melisa all testified.

Grayden testified for Melisa. Grayden testified she is a clinical psychologist who works at University of California at Irvine and with the Regional Center evaluating consumers. She performed a research study on Prader-Willi syndrome. Grayden stated she reviewed the court documents, Prader-Willi Association literature, Melisa's medical reports, and Regional Center reports from February 17, 2011, and June 20, 2012. She also interviewed and tested Melisa; her IQ was borderline and she was certainly not mildly mentally retarded. Grayden opined Melisa was able to control her weight and "had a very well laid out plan of exactly" how she would care for herself. Grayden said the conservators should retain the power to control Melisa's right to contract because Melisa would need "some other outside help." Grayden stated Melisa should be permitted to access her confidential records, have a limited right to control where she lived, and control her education. When Melisa's counsel asked Grayden whether the conservators should have the power to control Melisa's social and sexual relationships, Grayden responded, "No." Grayden based her opinion on her interview with Melisa and her responses concerning the importance of birth control to prevent pregnancy and sexually transmitted diseases. Grayden also believed Melisa should have the power to control marital decisions. Finally, she believed Melisa should control the power to give or withhold medical consent.

Jacquita testified for the conservators. Jacquita testified that in 2008 when Melisa lived in the previous group home she barricaded herself in her room, ate candy bars that she had hid, and told staff she wanted to kill herself. Jacquita claimed this resulted from Melisa being told she could not have a relationship with a male resident who she was attracted to and was the basis for the Welfare and Institutions Code section 5150 hold. Jacquita explained that when she gave Melisa permission to go on a date with someone she met on the Internet if there was a staff chaperone, Melisa

became upset. On cross-examination, Jacquita testified Melisa refused her suggestion to attend sexual education classes because she took them in high school. She said Melisa and Boyfriend dated for over one year. Jacquita explained they permitted the relationship because it was platonic, and it did not become an issue until the “intrusive” and “overbearing” Mother approached Trudy and asked her to subsidize their children’s lovemaking. On redirect examination, Randel asked Jacquita whether the reason they said no to Melisa having sexual relations with Boyfriend was that the conservators wanted Melisa to have the proper Regional Center training and education first, and Jacquita answered, “That’s correct.”

Randel also testified for the conservators. Randel said there was no problem with the conservatorship until June 2009 when Mother approached the Hermans concerning arranging for them to rent the motel room. Randel explained the incident at the amusement park occurred March 2010, and they met Mother at the Regional Center in August 2010. Randel characterized Mother as a predator who drove a wedge between Melisa and her family. Randel said he did not care if Melisa has a relationship with Boyfriend, but he loves his daughter and wants to ensure she continues her positive improvement. Randel requested the general conservatorship continue because Melisa does not possess the ability to reason through problems. On cross-examination, Randel stated Melisa is on the upper end of functioning of people inflicted with Prader-Willi syndrome. She did not begin her menstrual cycle until she was about 25 years old. Randel stated the conservators did not allow Melisa to take birth control pills because they were unsure how they would affect her. He insisted it was not because he did not want Melisa to have sexual intercourse. Randel believed the conservators should retain all the powers they currently possess. Randel explained that since the incident with Mother and Boyfriend, Melisa openly dated another man who the conservators welcomed into the family, and “there hasn’t been a time when she didn’t have complete social and sexual freedom.”

Melisa testified on her own behalf. Melisa testified she was in court to get back her right to have a social life, her “sex life and . . . birth control rights.” Melisa stated that when she was dating Boyfriend, she went to the doctor and obtained birth control pills, but Trudy would not let her take them. Melisa said she would like to be a teacher and would like the power to choose her own education. She would eventually like the right to choose her own residence, but the group home was the best place for her. Melisa testified she has no plans to get married, but she would like the power to choose who she marries, “when [she] find[s] Mr. Right.”

When Melisa’s counsel asked her what kind of person Mr. Right is, the following colloquy occurred:

“[Melisa]: That can treat me right and respect me and have a job and who could drive and can protect me like my father.

“[Counsel]: Okay. And you feel like you are ready? If you found Mr. Right now, would you just go ahead and get married right away?

“[Melisa]: No. I would get my dad’s permission first.

“[Counsel]: Okay. But you would want to have the ultimate say in whether you get married or not?

“[Melisa]: Yeah.

“[Trial court]: You love your dad?

“[Melisa]: Yes. Sometimes. Sometimes he could be an asshole. Excuse my language, but –

“[Randel]: No objection there, your honor.

“[Trial court]: We won’t ask your mom.”

Melisa stated it was important to her to get her rights back, but that if she did not understand something, she would ask her dad. She trusts her parents and sister, but sometimes disagrees with them.

At the close of evidence, the trial court opined the conservators were “doing a fine job as conservators.” The court explained that with respect to the seven powers, the court was trying to reconcile Grayden’s recommendations with the Regional Center’s recommendations. Melisa’s counsel stated Grayden recommended the conservators have the right to control Melisa’s ability to contract and have the right to access her confidential records. Counsel stated Grayden recommended Melisa retain the right to control her social and sexual relationships, choose who she marries, choose her own education, and make her own her medical decisions. The court heard brief argument, admitted exhibits into evidence, including the Report, the Addendum, and the Confidential Report, and took the matter under submission.

The trial court issued a minute order a few days later. The court stated it had before it a petition for modification and a petition for termination. The court explained the basis for the petitions was Melisa’s desire for a relationship with Boyfriend and his family and she wished to retain her right to control her social and sexual contacts and right to marry. The court opined that although Melisa is high functioning and had made great progress with her weight and independence, the court could not conclude Melisa “has the capacity to manage these aspects of her life, at this time, without undue influence.” The court said that after considering the written submissions and hearing witness testimony, “[t]he court finds the conservators to be highly credible, caring family members, whose primary goal is to further Melisa’s well-being and to foster her independence.” Relying on the Confidential Report, the court concluded it was in Melisa’s best interests to terminate the probate conservatorship and replace it with a limited conservatorship. Citing to Probate Code section 2351.5, the court stated the conservators satisfied their burden of demonstrating Melisa should be subject to a limited conservatorship. The court noted Melisa’s intent to eat breakfast at McDonald’s every day and her refusal to participate in sexual education classes demonstrate her plan of independent living “*might not be safe or realistic.*” Taking issue with Grayden’s

recommendation, the court found it “somewhat baffling that a person who cannot freely contract may be found to be able to enter into a marriage, which, ideally, [is] a lifetime contract.”

With regard to Melisa’s desire to control her social and sexual contacts, the court explained: “The desire for restoration of social/sexual powers/power to enter into marriage, appears motivated by a relationship with a young man at the group home whose mother appears to be overinvolved [*sic*] in her son’s (and Melisa’s<sup>4</sup>) life. ‘Mother’ sounds like a piece of work, and the conduct the conservators reported, if true, shows a lack of direction, an inability to comprehend boundaries, and a failure of common sense on her part. The conservators have observed Melisa close hand all of her life. The [*sic*] probably have a better handle on her than any of the ‘experts’, including the Regional Center. For example, if Melisa’s report to the court investigator is accurate . . . , what kind of mother would tell this young woman that ‘there was not a condom big enough for my boyfriend, but [she was] sure it would fit’? Or that she ‘did not think that condoms were necessary’?”

The trial court concluded the conservators should retain the power to control Melisa’s residence, to consent to or withhold consent of marriage, enter contracts, and control social and sexual contacts and relationships. The court concluded Melisa should retain the power to control her education. Finally, the court concluded the conservators and Melisa should share the power to access Melisa’s confidential records and power to give or withhold medical consent. Six weeks later, the trial court appointed Randel, Trudy, and Jacquita limited conservators of Melisa.

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<sup>4</sup> The minute order spelled Melisa’s name Melissa.

## DISCUSSION

Melisa argues insufficient evidence supports the trial court's judgment awarding the conservators the power to control her right to marry and control her social and sexual contacts and relationships. We disagree.

When an appellant challenges the sufficiency of the evidence to support the trial court's findings and order, we apply the substantial evidence standard of review. "In making that determination, we view the entire record in the light most favorable to the trial court's findings. [Citations.] We must resolve all conflicts in the evidence and draw all reasonable inferences in favor of the findings. [Citation.] Substantial evidence is evidence of ponderable legal significance. [Citations.]" (*Conservatorship of Ramirez* (2001) 90 Cal.App.4th 390, 401.)

Probate Code section 1801, subdivision (d), provides: "A limited conservator of the person or of the estate, or both, may be appointed for a developmentally disabled adult. A limited conservatorship may be utilized only as necessary to promote and protect the well-being of the individual, shall be designed to encourage the development of maximum self-reliance and independence of the individual, and shall be ordered only to the extent necessitated by the individual's proven mental and adaptive limitations. The conservatee of the limited conservator shall not be presumed to be incompetent and shall retain all legal and civil rights except those which by court order have been designated as legal disabilities and have been specifically granted to the limited conservator. The intent of the Legislature, as expressed in [s]ection 4501 of the Welfare and Institutions Code, that developmentally disabled citizens of this state receive services resulting in more independent, productive, and normal lives is the underlying mandate of this division in its application to adults alleged to be developmentally disabled." Probate Code section 1801, subdivision (e), states, "The standard of proof for the appointment of a conservator pursuant to this section shall be clear and convincing evidence."

Probate Code section 2351.5, subdivision (a), states: “Subject to subdivision (b): [¶] (1) The limited conservator has the care, custody, and control of the limited conservatee. [¶] (2) The limited conservator shall secure for the limited conservatee those habilitation or treatment, training, education, medical and psychological services, and social and vocational opportunity as appropriate and as will assist the limited conservatee in the development of maximum self-reliance and independence.”

Probate Code section 2351.5, subdivision (b), provides: “A limited conservator does not have any of the following powers or controls over the limited conservatee unless those powers or controls are specifically requested in the petition for appointment of a limited conservator and granted by the court in its order appointing the limited conservator: [¶] (1) To fix the residence or specific dwelling of the limited conservatee. [¶] (2) Access to the confidential records and papers of the limited conservatee. [¶] (3) To consent or withhold consent to the marriage of, or the entrance into a registered domestic partnership by, the limited conservatee. [¶] (4) The right of the limited conservatee to contract. [¶] (5) The power of the limited conservatee to give or withhold medical consent. [¶] (6) The limited conservatee’s right to control his or her own social and sexual contacts and relationships. [¶] (7) Decisions concerning the education of the limited conservatee.”

Here, sufficient evidence supports the trial court’s judgment awarding to the conservators the powers listed in Probate Code section 2351.5, subdivision (b)(3), and (b)(6). There was clear and convincing evidence the granting of these powers to the conservators was necessary to promote and protect Melisa’s well-being because she was susceptible to undue influence. The record established the impetus for the petitions was Melisa’s desire to have an intimate relationship with Boyfriend. However, the record also establishes Mother’s obsession with arranging a sexual relationship for her son is not in Melisa’s best interests. Indeed, it is detrimental to Melisa. We understand the

common practice might be for the conservators to arrange for an off-site location where the conservatees can engage in sexual relations, but Mother's conduct far exceeds making simple arrangements. If true, it is disturbing to say the least for Mother to be discussing her son's penis size with her son's girlfriend. And it is outright reckless and dangerous to tell her condoms are unnecessary. There was evidence Melisa and Boyfriend were no longer a couple, but they lived together in the group home and Melisa hoped to reconcile with Boyfriend. It is certainly reasonable to conclude that Mother, if not deterred by the conservators, would continue her crusade to arrange a sexual relationship between her son and Melisa.

Additionally, the evidence demonstrated Melisa not only wanted a relationship with Boyfriend, she was also interested in meeting someone on Internet dating sites. Without the proper sexual education and security awareness courses, Melisa was not only at risk from engaging in a sexual relationship with Boyfriend, but she was also at risk from predators on the Internet.

Melisa raises numerous claims to support her argument insufficient evidence supports the trial court's judgment. First, relying on *In re David M.* (2005) 134 Cal.App.4th 822, she argues the evidence the trial court relied on was stale. That case is inapposite because it was a Welfare and Institutions Code section 300 case that involved allegations that were four years old. (*In re David M., supra*, 134 Cal.App.4th at p. 832.) Here, Melisa hoped to rekindle her relationship with Boyfriend and she was susceptible to undue influence because there was evidence that as recently as one year before trial Mother was trying to help Melisa.

Second, Melisa claims Grayden's testimony establishes she should have the power to choose who she marries and to control her social and sexual relationships. On appeal, "[w]e may not reweigh the evidence and are bound by the trial court's credibility determinations." (*Estate of Young* (2008) 160 Cal.App.4th 62, 76.)

Finally, Melisa asserts Jacquita's testimony she was surprised how much Melisa knew about sexual education demonstrates the conservators concerns were exaggerated. It was not just the conservators who thought Melisa should participate in sexual education courses. The court investigator too believed Melisa would benefit from sexual education and security awareness courses.

Like many family conflicts this case is basically about parents and a sister who want to protect a child/sibling from being taken advantage of and a then 31-year-old woman who understandably wants to be independent and live a rich and fulfilling life. We commend Melisa on the great strides she has made with her health, education, and employment, and there is no question she is a high-functioning woman who knows what she wants. And we commend her parents and sister for the love and dedication they have shown Melisa for many, many years. But this is not simply a case about parents who want to prevent a child from having a broken heart over a lost love. The conservators established Melisa is susceptible to being influenced to her detriment and because of her health conditions, an unwanted pregnancy could have serious ramifications for her and the baby. Thus, based on the record before us, we conclude there was sufficient evidence under the clear and convincing evidence standard to support the trial court's judgment awarding the conservators the power to control Melisa's right to marry, and her social and sexual contacts and relationships.

Our decision certainly does not mean Melisa will never possess the right to consent to marriage or control her social and sexual relationships. Someday, perhaps soon after she participates in required education, she may possess those rights. Or perhaps the conservators will consent to Melisa marrying when the time is right. But

based on the record before us, we conclude the court properly granted the right to consent to marriage and control her social and sexual relationships to the conservators.<sup>5</sup>

DISPOSITION

The judgment is affirmed.

O'LEARY, P. J.

WE CONCUR:

IKOLA, J.

THOMPSON, J.

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<sup>5</sup> The conservators' motion to augment the record with documents not before the trial court is denied. "[O]ur review on direct appeal is limited to the appellate record." [Citation.]” (*People v. Jenkins* (2000) 22 Cal.4th 900, 952.)