



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 25-154
For business meeting on October 24, 2025

Title

Probate Conservatorship: Information for Conservatees

Report Type

Action Required

Rules, Forms, Standards, or Statutes Affected

Approve form GC-342; revise forms GC-341 and GC-341(MA)

Effective Date

January 1, 2026

Recommended by

Probate and Mental Health Advisory Committee

Hon. Jayne Chong-Soon Lee, Chair

Date of Report

October 1, 2025

Contact

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Executive Summary

Probate Code section 1835.5 requires the court, within 30 days of appointing a conservator, to provide the conservatee with specified information, including a personalized list of rights retained by and withheld from the conservatee. Several statutes enacted over the past 10 years have also expanded and clarified the rights of all conservatees. In response to these changes to the law, the Probate and Mental Health Advisory Committee recommends approving one form for optional use by courts to use to provide the information required by section 1835.5, revising the mandatory form used to give notice of the general rights of conservatees to update it, and revising the address attachment to the general notice form to conform to the revisions to the principal form.

Recommendation

The Probate and Mental Health Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

1. Approve *Personalized Information for Conservatee—Probate* (form GC-342) for optional use by courts to provide the information required by Probate Code section 1835.5;

2. Revise and retitle *Notice of Conservatee's Rights* (form GC-341) as *Notice of Conservatee's Rights—Probate*, update and reorganize the rights listed, and make technical and conforming stylistic changes; and
3. Revise and retitle *Attachment to Notice of Conservatee's Rights* (form GC-341(MA)) as *Attachment to Notice of Conservatee's Rights—Probate*, add items for use to document recipients of form GC-341, and make technical and conforming stylistic changes.

The proposed new and revised forms are attached at pages 7–15.

Relevant Previous Council Action

Effective January 1, 2008, the Judicial Council adopted form GC-341 and approved form GC-341(MA) to implement the requirement in Probate Code section 1830(c) (see Link A) to develop the notice of rights of conservatees required by that same statute. The council has never revised these forms.

Analysis/Rationale

When the probate court appoints a conservator, it grants the conservator powers to make certain decisions and take certain actions on behalf of the conservatee, but the appointment does not remove all rights from the conservatee. Since 2007, Probate Code section 1830(c) has required a conservator to send to the conservatee and the conservatee's relatives named in the conservatorship petition a copy of the conservator's appointment order with a notice of the rights of conservatees attached.¹ These rights include, among others, having a lawyer represent them, asking a judge to modify or end the conservatorship, and entering into transactions to provide the basic necessities of life for themselves and their families.

Effective January 1, 2023, Assembly Bill 1663 (Stats. 2022, ch. 894, § 9) added section 1835.5 (see Link B) to the code to require the court to provide specified information in writing to the conservatee within 30 days of appointing a conservator and annually thereafter. The information must include a personalized list of rights retained by and withheld from the conservatee. This is important because the grant of powers to a conservator does not necessarily or automatically result in a corresponding limit on or removal of the conservatee's rights to make those decisions or take those actions. For example, a conservatee may consent to medical treatment unless adjudicated to lack the capacity to do so. The conservator may also consent to the conservatee's medical treatment as long as the conservatee does not object to the treatment.²

¹ Subdivision (c) was added to section 1830 by Assembly Bill 1363 (Stats. 2006, ch. 493, § 10). Section 1830(c) was amended, effective January 1, 2008, to require the conservator to deliver these materials within 30 days of the issuance of the appointment order. All further statutory references are to the Probate Code unless otherwise specified.

² § 2354(a). In some cases, the removal of a right from a conservatee does not confer a corresponding power on the conservator. For example, disqualifying a conservatee from voting does not give the conservator any power to vote on the conservatee's behalf. (See § 1910; Elec. Code, §§ 2208–2209.)

Personalized Information for Conservatee—Probate (form GC-342)

As noted above, section 1835.5 requires the court to provide specific information to the conservatee, which includes the name and contact information of the conservator; a description of the conservatorship; the role, duties, and contact information of the court investigator and the “court alternatives program”;³ “the person to petition to end or change the conservatorship and contact information for the person to contact to begin that process”;⁴ and a personalized list of rights retained by and withheld from the conservatee.⁵ The committee recommends the approval of form GC-342 for this purpose. Because several courts have developed local forms for use to implement the requirement in section 1835.5, the committee recommends approval of form GC-342 for optional use.

Notice of Conservatee’s Rights (form GC-341)

Since 2008, when form GC-341 was adopted, the Legislature has amended the conservatorship statutes several times.⁶ These amendments have cumulatively expanded the rights held by conservatees to an extent sufficient to require revisions to form GC-341 to maintain its accuracy. The statutory amendments also reflect an intent, exemplified in section 2113, for the conservator to accommodate the desires of the conservatee unless doing so “would violate the conservator’s fiduciary duties to the conservatee or impose an unreasonable expense on the conservatorship estate.”⁷ A conservator must, to the greatest extent possible, support the conservatee in maximizing their autonomy and making their own decisions and must regularly inform the conservatee of decisions made on their behalf.⁸ The committee recommends adding this information to form GC-341. In addition, the committee recommends retitling the form *Notice of Conservatee’s Rights—Probate* to move “probate” from the form family name to the title, revising the form to increase its readability, and making technical and conforming stylistic changes.

³ § 1835.5(b)(3). Assembly Bill 1663 also added section 1836 to the code. (Stats. 2022, ch. 894, § 10.) Contingent on an appropriation by the Legislature, that section requires the Judicial Council to establish a “conservatorship alternatives program” within each self-help center in every superior court. (§ 1836.) The Legislature has not yet appropriated the requisite funds. The committee recommends addressing the requirement to provide information about a program that might not yet exist by allowing a court that *has* established a conservatorship alternatives program to check a box indicating that and then to provide the program’s contact information.

⁴ § 1835.5(b)(4). The statutory language notwithstanding, a petition to change or end a conservatorship is not directed to a person. Presenting the quoted information on a form, therefore, presents a challenge. The committee recommends directing the conservatee to inform the court investigator of their wish to file a petition to terminate or modify the conservatorship. Once the court learns of the conservatee’s wish to petition, the court may set a hearing, notify the conservatee’s attorney of record, or, if the conservatee does not have an attorney and does not plan to get one, appoint an attorney to file the petition and represent the conservatee. (§§ 1051, 1852.)

⁵ § 1835.5(b).

⁶ Significant examples are Senate Bill 589 (Stats. 2015, ch. 736), Assembly Bill 1194 (Stats. 2021, ch. 417), Assembly Bill 1663 (Stats. 2022, ch. 894), and Assembly Bill 2960 (Stats. 2022, ch. 420, §§ 32–41).

⁷ § 2113, added by Assembly Bill 1363 (Stats. 2006, ch. 493, § 13) and amended by AB 1663 (Stats. 2022, ch. 894, § 15).

⁸ § 2113.

Attachment to Notice of Conservatee's Rights (form GC-341(MA))

The committee recommends retitling this form *Notice of Conservatee's Rights—Probate* so that this form's title conforms to the revised title of form GC-341. To reduce the occasions requiring use of multiple pages of the form, the committee also recommends adding more items to document the persons to whom the appointment order and notice of rights were mailed.

Policy implications

The recommended action is needed to conform to changes in the law and to comply with an ongoing legislative mandate. In addition, the action will improve the quality of justice and service to conservatees and promote their access to the court process by providing them with required information in forms that use simpler language and more accessible formatting.

Comments

The proposal circulated for public comment from April 14 to May 23 as part of the spring 2025 rules-and-forms cycle to the advisory committee's regular mailing list as well as the probate listserve. The committee received seven comments, including comments from the Joint Rules Subcommittee (JRS) of the Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee and three superior courts. Three commenters, including the JRS, agreed with the proposal. Two commenters agreed and suggested modifications, one commenter did not agree, and one commenter did not indicate a position. The committee has modified its recommendation in several respects in response to comment. A chart of all comments received and committee responses is attached at pages 16–29.

The Orange County Bar Association did not agree with the recommendation to develop two forms to implement the requirements in sections 1830(c) and 1835.5. The commenter suggested adoption of a single mandatory form to implement both statutes. Because of the numerous differences between the duties imposed by section 1830(c) and those imposed by section 1835.5, however, the committee continues to recommend two separate forms. A conservator must use form GC-341 to comply with the one-time requirement in section 1830(c) to deliver "an information notice of the rights of conservatees" attached to a copy of the appointment order to the conservatee and the relatives named in the petition no later than 30 days after the conservator's appointment. A court may use form GC-342, which is optional, or a local form to fulfill its duty to provide personalized information to a conservatee within 30 days of the appointment of a conservator and annually thereafter.⁹ In addition to a personalized list of rights retained by the conservatee and rights withheld, the form must include information about the conservator, the court investigator, the court's conservatorship alternatives program, if any, and the nature of the conservatorship.¹⁰ Courts that have developed local forms for this purpose will be able to continue using those forms if they prefer to do so.

⁹ § 1835.5.

¹⁰ § 1835.5(b). For a detailed description of the differing purposes of the forms, see the response to the bar association's comment in the attached comment chart, at pages 16–18.

The Superior Court of San Diego County suggested multiple changes to the proposed forms. The committee has accepted several of those changes but has also declined some. In particular, the court suggested that items 6 and 7 on form GC-342 use only two columns, titled “Your Rights” and “Rights that are No Longer Yours and/or Belong to Conservator(s),” instead of three columns. The committee decided to retain three columns because, as explained on page 2 and in footnote 2, two columns would not capture those acts or decisions that are within the authority of both the conservator and conservatee.

The committee also does not recommend adding a subitem in item 6 to address a limited conservatee’s right to contract. Although item 6 focuses on personal care and item 7 focuses on estate management, both items should be completed for every conservatorship to indicate the rights retained by the conservatee as well as those limited by the court. Item 7 includes an opportunity to describe the allocation of the right to contract between the conservator and conservatee. Nothing in item 7 precludes the court from using that item to indicate whether it has limited the right to contract of a limited conservatee of the person.

Finally, the committee has accepted the court’s suggestion to remove the clerk’s certificate from form GC-342 because it would impose an unwarranted burden on the courts. However, the committee has declined the court’s suggestion to add a certificate of mailing. In the absence of statutory direction, the committee prefers to leave each court free to document its processes in the manner best suited to its local practices and case management system.

Alternatives considered

The committee considered not taking action but determined that an optional statewide form would assist courts in fulfilling their obligation under section 1835.5 and that revisions to form GC-341 were required to conform to changes to the law enacted since the council adopted the form. The committee also considered proposing form GC-342 for mandatory use, both as a separate form and combined with form GC-341. For the reasons discussed above and in the chart of comments, as well as to allow courts that have developed local forms to implement Probate Code section 1835.5 to continue using those forms, the committee recommends form GC-342 for approval as a separate, optional form.

Fiscal and Operational Impacts

The proposal will impose one-time costs for courts to update case management systems and, in courts that plan to use form GC-342, train staff to send the form to conservatees. The JRS and the courts gave varying estimates of the extent of training needed. The Superior Court of San Diego County alone suggested a need for significant training. The recurring costs of sending form GC-342 or a local form annually to every conservatee are unavoidable under the law.

Attachments and Links

1. Forms GC-341, GC-341(MA), and GC-342, at pages 7–15
2. Chart of comments, at pages 16–29

3. Link A: Prob. Code, § 1830,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PROB§ionNum=1830
4. Link B: Prob. Code, § 1835.5,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PROB§ionNum=1835.5

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER: STATE: ZIP CODE: FAX NO.:	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		DRAFT Not approved by the Judicial Council
CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (name): <input type="checkbox"/> LIMITED CONSERVATEE		
NOTICE OF CONSERVATEE'S RIGHTS—PROBATE		CASE NUMBER:

When a court appoints a conservator, it grants the conservator powers to make decisions and manage the personal care, finances, or both of a person, called the **conservatee**, who cannot do those things for themselves. The conservator has legal duties to take proper care of the conservatee and the conservatee's finances and to act in the conservatee's best interest. But the conservatee does not automatically lose the right to make all decisions about their personal care or finances.

A conservatee has the right to be treated with compassion and respect, to have the conservator ask about their wishes and follow those wishes unless doing so would violate the conservator's duties, and to have the conservator inform them regularly of decisions about their affairs. All conservatees keep their basic human rights.

A conservatee has the right to ask the conservator questions about the conservator's actions and decisions. If the conservatee is not satisfied with the conservator's answers, they may contact their lawyer or, if they no longer have a lawyer, the court investigator with their concerns and complaints. The investigator's name and contact information are printed on the order of appointment that this form is attached to.

If a conservatee cannot resolve a disagreement with the conservator after working with their lawyer or the investigator, the conservatee may ask the court to review the conservator's decision or action and tell the conservator what to do. If the conservatee no longer has a lawyer and does not plan to hire one, the court will appoint one. The conservatee may also ask the court to remove the conservator or to terminate (end) the conservatorship.

Even if the conservatee never contacts the court, the court investigator will periodically visit the conservatee, check on their welfare, ask about their wishes, and remind them of their rights.

A CONSERVATEE'S RIGHTS

1. After appointment of a conservator, every conservatee has the right to:

- Receive, from the conservator, a copy of the order of appointment and pages 1 and 2 of this form;
- Be represented by a lawyer and have the court appoint a lawyer for them;
- Ask a judge to change the conservator;
- Ask a judge to end the conservatorship;
- Make or change their will; and
- Enter into transactions, to the extent reasonable, to provide for their basic needs and those of their spouse and minor children or for the basic living expenses of their registered domestic partner.

(Conservatee's rights continued on next page)

CONSERVATORSHIP OF THE PERSON ESTATE
OF (name):

CASE NUMBER:

CONSERVATEE

A CONSERVATEE'S RIGHTS (continued)

2. Unless the court has limited or taken away the right, a conservatee also keeps the right to:

- Give or withhold informed consent to medical treatment, including treatment with medication;
- Give or withhold informed consent to medication for treatment of a major neurocognitive disorder;
- Withhold consent to placement in a residential facility with a secured perimeter;
- Receive visits from family and friends;
- Receive personal mail, email, and phone calls;
- Control whom to have social and sexual relationships with;
- Get married or enter into a registered domestic partnership;
- Register to vote and cast a vote in local, state, and national elections; and
- Directly receive and control their own wages or salary.

3. A conservatee may engage in certain activities only if the court has made an order expressly allowing them. These activities may include:

- Deciding where to live;
- Making their own educational decisions;
- Receiving and controlling an allowance for personal expenses; and
- Entering into specific transactions or types of transactions as appropriate in the circumstances and subject to limits and conditions in the court order.

4. If the court has appointed a *limited conservator*, the limited conservatee keeps the right to take an action or make a decision **unless** the court has expressly given the limited conservator the power to take that action or make that decision **and** has also taken the right away from the conservatee. In particular, a limited conservatee keeps the following rights that a conservatee loses by default:

- Making decisions about where to live;
- Making their own educational decisions; and
- Entering into contracts or transactions that obligate their estate.

TO THE CONSERVATEE

Within 30 days of their appointment, your *conservator* will send you a copy of the appointment order and pages 1–2 of this form. In addition, the *court* will give you information about your conservatorship on *Personalized Information for Conservatee—Probate* (form GC-342) or a similar local form. That form will describe your conservatorship; give the name and contact information of your conservator; give the role, duties, name, and contact information of the court investigator; and list the specific rights you keep in the conservatorship and the rights the court has ordered taken away from you. The form will also list any activities the court specifically ordered the conservator to allow you to engage in. The court will give you updated personalized information once a year as long as your conservatorship lasts.

(Proof of mailing on page 3 and instructions for mailing on page 4)

CONSERVATORSHIP OF THE PERSON ESTATE
OF (name):

CASE NUMBER:

CONSERVATEE

PROOF OF DELIVERY BY MAIL

1. I am 18 years of age or older. I am the appointed conservator of the conservatee named above, the conservator's attorney, or an employee of the conservator's attorney. I am a resident of or employed in the county where the mailing occurred.
2. My residence or business address is (specify):

3. I mailed this *Notice of Conservatee's Rights—Probate* to each person named below, attached to a conformed copy of the order appointing a conservator (form GC-340) or a limited conservator (form GC-339) filed on (date): and showing the filing date and the judicial officer's signature, by enclosing it in an envelope addressed as shown below and (check one):
 - a. **depositing** the sealed envelope on the date and at the place shown in item 4 with the United States Postal Service 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):

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)

NAME AND ADDRESS OF EACH PERSON TO WHOM THE NOTICE AND ORDER WERE MAILED

Name and relationship
to conservatee

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

1.	<input type="text"/>	<input type="text"/>
	Conservatee	
2.	<input type="text"/>	<input type="text"/>
	Attorney for conservatee	
3.	<input type="text"/>	<input type="text"/>
	Spouse or registered domestic partner	
4.	<input type="text"/>	<input type="text"/>
	Relationship: <input type="text"/>	
5.	<input type="text"/>	<input type="text"/>
	Relationship: <input type="text"/>	
6.	<input type="text"/>	<input type="text"/>
	Relationship: <input type="text"/>	
7.	<input type="text"/>	<input type="text"/>
	Relationship: <input type="text"/>	

Continued on an attachment. (You may use form GC-341(MA) to show additional names and addresses.)

CONSERVATORSHIP OF THE OF (name):	<input type="checkbox"/> PERSON	<input type="checkbox"/> ESTATE	CASE NUMBER:
			CONSERVATEE

**INSTRUCTIONS FOR MAILING COPIES OF NOTICE OF CONSERVATEE'S RIGHTS—PROBATE
WITH THE ORDER APPOINTING A CONSERVATOR OR A LIMITED CONSERVATOR**

1. **What to mail:** The conservator, the conservator's attorney of record, or the attorney's employee must mail a copy of this *Notice of Conservatee's Rights—Probate*, attached to a copy of the court order appointing a conservator or a limited conservator showing the judicial officer's signature and the filing date, to each person described in item 2 below.
2. **Who must receive the mailing:** The following persons must receive copies of this *Notice of Conservatee's Rights—Probate* with the appointment order.
 - a. The conservatee;
 - b. The conservatee's attorney;
 - c. The conservatee's spouse or registered domestic partner and the following relatives within the second degree:
 - (1) Parents;
 - (2) Children 12 years of age or older (see item e below if there are children under the age of 12);
 - (3) Grandparents;
 - (4) Grandchildren 12 years of age or older (see item e below if there are grandchildren under the age of 12); and
 - (5) Siblings, including half-siblings.
 - d. If the conservator does not know of any spouse or registered domestic partner or second-degree relative of the conservatee, copies of this *Notice* and the appointment order must be mailed to any of the following persons known to the conservator:
 - (1) The spouse or registered domestic partner of a predeceased parent of the conservatee;
 - (2) Children of a predeceased spouse or predeceased registered domestic partner of the conservatee 12 years of age or older (see item e below if there are children under the age of 12);
 - (3) Siblings of the conservatee's parents (that is, the conservatee's aunts and uncles), if any, or, if none, to their natural and adoptive children 12 years of age or older (see item e below if there are children under the age of 12); and
 - (4) The natural and adoptive children of the conservatee's siblings 12 years of age or older (see item e below if there are children under the age of 12).
 - e. If a person described above is under the age of 12, copies of this *Notice* and the appointment order must be mailed to a parent, guardian, or other person having legal custody of the person entitled to notice with whom the person entitled to notice resides.
3. **When the mailing must be completed:** The mailing described in item 1 must be completed on or before the 30th day following the filing date of the order appointing a conservator or a limited conservator.
4. **Fill out Proof of Delivery by Mail:** The conservator or the attorney of record must fill out the Proof of Delivery by Mail on page 3, including the correct addresses of the persons to receive the mailing, described in item 2, above, before making the copies to be mailed. If the Proof of Delivery by Mail does not have enough space for the names and addresses of all persons who will receive the mailing, the names and addresses not shown on the Proof of Delivery by Mail must be shown on one or more additional pages attached to this form. (Attachment to Notice of Conservatee's Rights—Probate (form GC-341(MA)) may be used for this purpose.) After the mailing described in item 5 below, the conservator or the attorney must date and sign the Proof of Delivery by Mail.
5. **How to mail:** The conservator, the conservator's attorney of record, or an employee of the attorney must do the following:
 - a. Place copies of this *Notice of Conservatee's Rights—Probate* and conformed copies of the order appointing a conservator or a limited conservator in sealed envelopes addressed to each person named on the Proof of Delivery by Mail or attached additional pages at the address shown for that person with postage fully prepaid.
 - b. Deposit (mail) the sealed envelopes with the United States Postal Service on the date and from the place (city and state) shown in item 4 of the Proof of Delivery by Mail on page 3.
6. **Filing this form:** The conservator or the attorney of record must file with the court the original *Notice of Conservatee's Rights—Probate* with a signed and dated Proof of Delivery by Mail and all attached additional address pages. Do not attach a copy of the order appointing a conservator or a limited conservator when filing the original *Notice of Conservatee's Rights—Probate*.

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

ATTACHMENT TO NOTICE OF CONSERVATEE'S RIGHTS—PROBATE

(This attachment is for use with form GC-341.)

NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER: STATE: ZIP CODE: FAX NO.:	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		DRAFT Not approved by the Judicial Council
CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (name):		<input type="checkbox"/> LIMITED CONSERVATEE
PERSONALIZED INFORMATION FOR CONSERVATEE—PROBATE		CASE NUMBER:
TO THE CONSERVATEE		
<p>The court named above has appointed one or more conservators for you. This form gives the name and contact information of your conservator or conservators, describes your conservatorship, gives the name and contact information of the court investigator and describes the investigator's role and duties, and provides a personalized list of the rights that you keep under the conservatorship and the rights that the court has ordered withheld from you.</p>		

1. a. The conservator of your person estate is
(name):
(address):
(telephone number): (*email address*):
- b. The court has appointed a second conservator for you. The conservator of your person estate is
(name):
(address):
(telephone number): (*email address*):
- c. The court has appointed more than two conservators for you. The name, contact information, and type of each additional conservator are stated on Attachment 1.

2. Your conservatorship is (*check all that apply*):
 - a. A conservatorship **of the person**. This means that your conservator has powers and duties to arrange for your health care, make sure you have enough food and clothing, and make sure you live in a safe home.
 - b. A conservatorship **of the estate**. This means that your conservator has powers and duties to manage your money and property for your benefit.
 - c. A **limited** conservatorship. This means that your conservator has only the powers and duties specified in the court's appointment order. The court may have given the limited conservator powers and duties to provide for your personal care, manage your money or property, or both.

CONSERVATORSHIP OF THE OF (name):	<input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE	CASE NUMBER: CONSERVATEE
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3. a. The name and contact information of the **court investigator** who was initially appointed in your conservatorship are:

(name):

(address):

(telephone number):

(email address):

If you have questions or concerns about the conservatorship or your conservator's actions before an investigator visits, you can contact the investigator above to ask questions or express your concerns.

b. The court will appoint a **court investigator** to monitor and review your conservatorship. It might be a different person from the investigator named above. The investigator will visit you within the next 12 months and explain your conservatorship to you; find out whether you want to change your conservator or end the conservatorship; determine whether you still need a conservatorship or need a conservatorship with different powers and rights; check whether the conservator is managing your living arrangements, personal care, and finances in your best interests; and determine whether you can communicate a desire to vote. After the visit, the investigator will file a report making recommendations to the court.

c. If you want to ask the court to end or change your conservatorship, you can also contact the court investigator. The investigator will tell the judge in your case. The court may then set a hearing or notify your lawyer. If you don't have a lawyer and do not plan to get one, the court will appoint a lawyer to help you ask the court for the orders you want.

4. a. The court's self-help center has a **conservatorship alternatives program**. The program can give you information and education about less restrictive alternatives to conservatorship, including supported decision-making agreements.

b. You can contact the conservatorship alternatives program as shown below:

(building address):

(mailing address):

(telephone number): (email address):

The program is open from (time): to (time): on (days):

GENERAL RIGHTS UNDER A CONSERVATORSHIP

5. Under your conservatorship, you still have the right to:

- Make and communicate your own informed choices to the greatest extent possible.
- Be informed on a regular basis of the decisions your conservator has made for you.
- Remain as independent as possible and live in the least restrictive setting needed to protect your health and safety.
- Make or change your will.
- Enter into reasonable transactions to provide for your basic needs and those of your children and spouse or domestic partner.
- Have a lawyer represent you.
- Ask a judge to review your concerns about the conservatorship or your complaints about the actions of your conservator.
- Ask a judge to change your conservator.
- Ask a judge to end your conservatorship.

CONSERVATORSHIP OF THE PERSON ESTATE
OF (name):

CASE NUMBER:

CONSERVATEE

YOUR PERSONALIZED LIST OF RIGHTS UNDER THE CONSERVATORSHIP

The court's appointment order grants your conservator powers and modifies your rights as shown below and on the next page.

Note: Sometimes, the court will grant your conservator the power to make a decision and not withhold or take away your right to make the same decision. That means you can make that kind of decision alone, and your conservator can make that kind of decision alone only (1) if you do not object or (2) in an emergency.

6. Powers and rights to provide for your personal care and safety (check all that apply):

Conservator has this power	You have this right	You do <u>not</u> have this right	Power or right to:
a. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Decide where you live.
b. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Make your own health-care decisions.
c. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Decide who takes care of you.
d. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Make decisions about your education.
e. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Have your family and friends visit you.
f. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Receive telephone calls.
g. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Receive personal mail.
h. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Receive personal email and text messages.
i. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Control who has access to your confidential personal papers.
j. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Decide whether you reside in a secured-perimeter residential care facility.
k. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Decide whether you take medication to treat major neurocognitive disorders.
l. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Decide who you can have social and sexual relationships with.
m. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Decide whether you get married or form a domestic partnership.
n. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Register to vote and cast your vote in local, state, and national elections.
o. <input type="checkbox"/> More information about powers or rights related to your personal care and safety (describe below):			

CONSERVATORSHIP OF THE PERSON ESTATE
OF (name): CASE NUMBER:

7. Powers and rights to manage your income, money, and other property (estate or finances) (check all that apply):

Conservator has this power	You have this right	You do <u>not</u> have this right	Power or right to:
a. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Directly receive and control your own wages or salary.
b. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Take possession of and manage your money and property.
c. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Control who has access to your confidential financial records or papers.
d. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Make contracts or enter into transactions with your money or property <i>(check one):</i> <input type="checkbox"/> All contracts and transactions. <input type="checkbox"/> Only the contracts and transactions described in Attachment 7d.
e. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Prosecute, defend, compromise, or settle claims by or against you or your estate <i>(check one):</i> <input type="checkbox"/> All claims and proceeds. <input type="checkbox"/> Only the claims and proceeds described in Attachment 7e.
f. <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Receive and control an allowance of <i>(amount):</i> \$ _____ of your own funds every <i>(time period):</i> _____ for personal expenses.
g. <input type="checkbox"/>	More information about powers or rights related to managing your money or property <i>(describe below):</i>		

Date:

(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

(SIGNATURE OF PERSON COMPLETING THIS FORM)

(ROLE OR TITLE OF PERSON COMPLETING THIS FORM)

SPR25-24**Probate Conservatorships: Rights of Conservatees** (Approve form GC-342; revise forms GC-341 and GC-341(MA))

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
1.	Desiree Davis	AM	The font should be larger on the form providing information to the conservatees about the conservatorship.	The committee appreciates this comment. Although the Judicial Council form standards preclude increasing the size of the typeface, the committee has increased the space between items and between lines of text and made additional formatting changes to increase the readability and accessibility of forms GC-341 and GC-342.
2.	Hon. Michelle H. Gilleece, Judge Superior Court of California, County of San Bernardino Fontana	A	No further comment.	The committee acknowledges the commenter's support for the proposal. No response required.
3.	Orange County Bar Association by Mei Tsang, President	N	<p>The Orange County Bar Association disagrees with this proposal and believes that it does not appropriately address the stated purpose of complying with amended statutory requirements.</p> <p>Clarity of the conservatee rights is an important objective since the statutes require the noticed information of rights to be "in plain language" (Probate Code 1835.5). It appears that Forms GC-341 and GC-342 overlap in significant areas. And it is not clearly stated why two forms are necessary to inform the conservatee of his/her rights.</p> <p>Nor is it clear why Form GC-341 only references Probate Code 1830 (Contents of the</p>	<p>The committee appreciates these comments.</p> <p>The forms overlap because they serve separate but overlapping statutory purposes. Probate Code section 1830(c) requires a conservator, within 30 days of appointment, to deliver to the conservatee a copy of the order of appointment—which, under section 1830(a), must include the name and contact information of the conservator and investigator—and an attached "information notice of the rights of conservatees." The statute also requires the Judicial Council to develop the required notice; this means that the notice developed by the council, form GC-341, is mandatory, as it has been since its adoption, effective January 1, 2008.</p> <p>Form GC-341 refers to sections 1830 and 2113 because it implements requirements established by</p>

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SPR25-24

Probate Conservatorships: Rights of Conservatee (Approve form GC-342; revise forms GC-341 and GC-341(MA))

All comments are verbatim unless indicated by an asterisk (*).

Commenter	Position	Comment	Committee Response
		<p>Conservatorship Order) and Probate Code 2113 (Fiduciary Duties of the Conservatorship), but fails to mention the basic requirements of Probate Code 1835.5 (Notice of Conservatee Rights).</p> <p>Form GC-342 appears to be more specific & personalized in contemplation of Probate Code 1835.5, while Form GC-341 appears to be more of a general form of advisement to all conservatees. They should be combined into one mandatory form for all courts.</p>	<p>those sections; it does not, and is not intended to, implement the requirements of section 1835.5.</p> <p>Form GC-342, on the other hand, is intended to implement section 1835.5. That section requires the court, within 30 days of appointing a conservator and annually thereafter, to provide specific information to a conservatee. The required information includes (but is not limited to) the name and contact information of the conservator, the investigator, the conservatorship alternatives program, and the “person to petition to end or change the conservatorship”; a description of the conservatorship; a description of the role and duties of the investigator; and a personalized list of the rights the conservatee retains under the conservatorship as well as any rights withheld by the court. Section 1835.5 does not require the use of a form to provide the required information.</p> <p>The descriptions above disclose multiple differences between the duty in Probate Code section 1830 and the duty in 1835.5, including:</p> <ul style="list-style-type: none">• The <i>persons</i> subject to the duty (conservator v. court);• The <i>manner</i> of performing the duty (deliver as permitted under section 1215 v. “provide”);• The <i>scope</i> of required information (general rights of conservatees v. particular rights of the specific conservatee and names and contact information of conservator and investigator);• The required <i>frequency</i> of the performance of

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Probate Conservatorships: Rights of Conservatees (Approve form GC-342; revise forms GC-341 and GC-341(MA))

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		<p>Finally, the OCBA disagrees that revisions should not be made to Form GC-348 “Duties of Conservator” to bring it in conformity with the amended statutes at this time due to lack of “current committee resources.” Unless Form GC-348 is changed at the same time or shortly after, then the parties to conservatorships will face differing instructions, substantial confusion, and varying interpretations between the conservatee (and his/her counsel) and the conservator (and his/her counsel).</p> <p>If for economic reasons it is not possible to revise Form GC-348 at this time nor combine the Forms GC-341 and GC-342 into one form then the language on the last paragraph of page 2 of Form GC-341 should be highlighted and bolded to better advise the conservatee of his/her other rights.</p>	<p>the duty (once v. annual); and</p> <ul style="list-style-type: none">• The requirement of a <i>form</i> (mandatory form v. no required form). <p>These differences have led the committee to conclude that separate forms, one mandatory and one optional, will better serve to implement the requirements of the respective statutes.</p> <p>The committee agrees that form GC-348 should be updated as soon as possible and plans to do so at the first opportunity. However, any confusion caused by the updating of the forms at different times should be insignificant, in part because forms GC-341 and GC-348 already differ in multiple respects. In addition, the conservator and conservatee should not view either of these forms as “instructions,” but only as general advisements of typical boundaries in a complex legal relationship. To the extent that the court gives “instructions” to a particular conservator, those are found in the appointment order and letters, as provided by the applicable provisions of the Probate Code and California Rules of Court, and supplemented by orders issued over the duration of the conservatorship.</p> <p>The committee agrees with the suggestion to make the last paragraph on page 2 of form GC-341 more prominent. The committee has modified its recommendation to add a border around the paragraph and add a heading in bold type.</p>

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Probate Conservatorships: Rights of Conservatees (Approve form GC-342; revise forms GC-341 and GC-341(MA))

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Commenter	Position	Comment	Committee Response
4. Superior Court of California, County of Los Angeles by Stephanie Kuo, Legislative Analyst	A	<p><i>[Does the proposal appropriately address the stated purpose?]</i> Yes, the proposal appropriately addresses the stated purpose.</p> <p><i>[Would the proposal provide cost savings? If so, please quantify.]</i> The proposal will not provide cost savings.</p> <p><i>[What would the implementation requirements be for courts – for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?]</i> To implement, the Court will need to add the revised form GC-341 to its conservatorship packet. It will also need to add the updated form information to the Probate Legal Unit (PLU) in case review.</p> <p><i>[Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?]</i> Three months from Judicial Council approval should be sufficient time for implementation.</p> <p><i>[How well would this proposal work in courts of different sizes?]</i> The proposal would work well across courts of</p>	<p>The committee appreciates these comments.</p> <p>No response required.</p> <p>No response required.</p> <p>No response required.</p> <p>The committee notes that this year only two months will pass between Judicial Council approval and the effective date of the forms. Other courts have indicated that this lead time is sufficient; the committee hopes it will also work for the Los Angeles superior court.</p> <p>No response required.</p>

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SPR25-24

Probate Conservatorships: Rights of Conservatees (Approve form GC-342; revise forms GC-341 and GC-341(MA))

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Commenter	Position	Comment	Committee Response
		different sizes.	
5. Superior Court of California, County of San Bernardino by Probate Committee staff	NI	<p><i>Does the proposal appropriately address the stated purpose?</i> Yes, the proposal addresses the stated purpose.</p> <p><i>The committee has proposed form GC-342 for optional use. Would the alternative of adopting it for mandatory use instead of optional use unduly interfere with existing trial court practices or otherwise impose an undue burden on the courts?</i> Using this form as mandatory use would be beneficial by remaining consistent in what is required. There is no anticipation of an undue burden on the courts.</p> <p><i>Would the proposal provide cost savings? If so, please quantify.</i> No, there would be costs making this form available and printing and providing the form to the party.</p> <p><i>What would the implementation requirements be for courts—for example, training staff (please</i></p>	<p>The committee appreciates these comments.</p> <p>No response required.</p> <p>The committee agrees that a mandatory statewide form would create greater consistency. The statute, however, specifies the content of the required notice in such detail that any marginal increase in consistency attributable to a mandatory form would be outweighed by the costs incurred by courts that have already developed a local form that faithfully implements the statute. In addition, the San Diego court stated that a mandatory form would impose a burden on the court, and the JRS noted that an optional form would not burden the courts. The committee therefore recommends approval of form GC-342 for optional use.</p> <p>No response required.</p>

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SPR25-24**Probate Conservatorships: Rights of Conservatees** (Approve form GC-342; revise forms GC-341 and GC-341(MA))

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Commenter	Position	Comment	Committee Response
		<p><i>identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</i></p> <p>Creating entry code in the case management system. Training staff to provide this form. Revising process/procedure.</p> <p><i>Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</i></p> <p>Yes.</p> <p><i>How well would this proposal work in courts of different sizes?</i></p> <p>Unknown.</p>	<p>No response required.</p> <p>No response required.</p> <p>No response required.</p>
6. Superior Court of California, County of San Diego by Mike Roddy, Executive Officer	AM	<p><i>Does the proposal appropriately address the stated purpose?</i></p> <p>Yes.</p> <p><i>The committee has proposed form GC-342 for optional use. Would the alternative of adopting it for mandatory use instead of optional use unduly interfere with existing trial court practices or otherwise impose an undue burden on the courts?</i></p> <p>Yes. As noted in the proposal, this legislative requirement was effective January 1, 2023, which required courts to adopt local forms and configure case management systems to meet this new requirement. In San Diego, we were able to configure a form to be generated out of the case management system. Once the conservatorship</p>	<p>The committee appreciates these comments.</p> <p>No response required.</p> <p>The committee recognizes the potential burden on court operations of adopting form GC-342 for mandatory use and therefore continues to recommend its approval for optional use.</p>

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Probate Conservatorships: Rights of Conservatees (Approve form GC-342; revise forms GC-341 and GC-341(MA))

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Commenter	Position	Comment	Committee Response
		<p>is established, entries are made to populate conservatee powers/rights in the initial form. Once the initial data entry is complete and no changes in the conservatorship occur, we are able to print the form each year and batch mail it to the conservatee. If this form was mandated, we would have to have staff manually complete the information each year in addition to manually printing and mailing. This would be a significant increase in workload.</p> <p><i>Would the proposal provide cost savings? If so, please quantify.</i></p> <p>No, as mentioned in the previous question, if we were to implement this new form, it would be an increase in workload and staffing needs.</p> <p><i>What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</i></p> <p>If we were to implement this new form, the clerical staff would need a significant amount of training regarding which boxes to mark, based on what is on the order and Letters of Conservatorship. Additionally, we would need to update the case management system.</p> <p><i>Would two months from Judicial Council approval of this proposal until its effective date</i></p>	<p>See response to previous comment.</p> <p>No additional response required.</p>

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Probate Conservatorships: Rights of Conservatee (Approve form GC-342; revise forms GC-341 and GC-341(MA))

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		<p><i>provide sufficient time for implementation?</i> If the form remains optional, yes.</p> <p><i>How well would this proposal work in courts of different sizes?</i> It appears the proposal would work for courts of all sizes.</p> <p>GC-341—Notice of Conservatee's Rights</p> <ul style="list-style-type: none">● Title: It does not seem necessary to retitle the form when the proposed new form's title does not contain a possessive for "Conservatee." The forms are distinguished enough as currently titled. This minor change will require case management system updates which would otherwise not be needed.● Item #2: Should the two powers relating to major neurocognitive disorder be included here? When investigators encounter a conservatee taking MNCD medication or living in a secured facility and the conservator(s) do not have those powers, this is brought to the court's attention. In other words, if the conservators do not have these powers, does the conservatee have the power to self-medicate or choose to live in a secured facility?	<p>No response required.</p> <p>No response required.</p> <p>The committee agrees and has modified its recommendation accordingly.</p> <p>The committee has modified item 2 to indicate that, in the absence of a court order limiting or modifying the right to refuse or consent to medical treatment, a conservatee retains the right to refuse or consent to take medications for treatment of a major neurocognitive disorder even though the conservator may not authorize such treatment. On the other hand, a conservator of the person has the power to establish the conservatee's residence in California; the conservatee does not have that right unless the court affirmatively grants it. The conservatee may not, therefore, choose to live in a secured-perimeter residential facility if the conservator chooses a less restrictive residence. The conservatee does, however, retain the right to refuse to live in such a facility unless the court has authorized the conservator under section 2356.5(b)</p>

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Probate Conservatorships: Rights of Conservatee (Approve form GC-342; revise forms GC-341 and GC-341(MA))

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		<ul style="list-style-type: none"> • Item #3: Propose striking the language noted here: <i>A conservatee may also engage in other activities if the court has expressly allowed them in an order made at the time of the conservator's appointment or later on a request for authority or permission to engage in the activity.</i> • Item #4: Propose striking, "in an order" from the intro statement and insert "has" before "also taken the right away from the conservatee." • Final Paragraph: Propose striking, "assigned to your case," in reference to the court investigator. Not all counties assign an investigator for the duration of the case. Ours are rotated for the review investigations. The proposed GC-342 refers to the "initially appointed" court investigator. <p>GC-342—Personalized Information for Conservatee—Probate</p> <ul style="list-style-type: none"> • Header: Based on the header, it is unclear who will be completing this form. Probate Code section 1835.5 requires the court to provide the information to the conservatee; however, the form includes a header for an attorney or party without attorney. 	<p>to place the conservatee there.</p> <p>The committee does not recommend deleting the entire sentence but has shortened it.</p> <p>The committee agrees and has modified its recommendation accordingly.</p> <p>The committee agrees and has modified its recommendation accordingly.</p> <p>The committee agrees that it is not clear who must complete the form. The statute requires the court to <i>provide</i> the information but does not require the court to create or develop the information. Just as many courts require parties to complete proposed orders and attachments for the court's adoption and signature, courts could also direct the petitioner or conservator or their counsel to complete this form for the court's use. The committee expects that if court staff complete the</p>

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Commenter	Position	Comment	Committee Response
		<ul style="list-style-type: none"> ● Caption: Propose adding a check box for “Limited Conservatorship,” to clearly identify the type of conservatorship. ● Item #3b: Propose striking, “If your conservatorship goes well...” The Court Investigator is required to review the conservatorship whether it goes well or not. The court is unclear regarding the intent of this statement. If it does not go well (i.e., APS referral), they may review sooner? Also propose replacing “decide” and “check on” with “determine.” ● Item #5b: Propose striking, “on a regular basis.” This phrasing is open to interpretation, better to leave it out. ● Item #5f: Propose striking “to.” “Have a lawyer to represent you.” ● Item #5g: “Ask a judge to review your concerns about the conservatorship or your complaints about the actions of your conservator.” This is not mentioned in Probate Code section 1835.5. What is the basis for including it here? 	<p>form, they may leave the Attorney/Party info box at the top of page 1 blank.</p> <p>The committee agrees in principle with the suggestion and recommends adding a check box to the captions of forms GC-341 and GC-342 for use to indicate that the subject of the proceeding is a limited conservatee.</p> <p>The committee agrees in part with the suggested change and has modified the language recommended in item 3b.</p> <p>The committee does not recommend the suggested change. This particular language is drawn directly from section 2113 of the Probate Code. Removing it from the form would entail reading the language out of the statute. The committee declines to do that.</p> <p>The committee agrees with the suggestion and has modified it recommendation accordingly.</p> <p>Probate Code section 1835.5 does not purport to set forth an exhaustive list of a conservatee’s rights or to limit the information to be sent to the conservatee. Probate Code sections 2359 and 2403 authorize a conservatee to file petitions asking the court to instruct, respectively, the conservator of</p>

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		<ul style="list-style-type: none">● Item #5h: Propose adding an “(s)” to conservator.● Item #6: Having three columns to mark can be confusing for the person completing the form and may contribute to incorrect information being sent out. Our local form pared it down to two columns, “Your Rights” and “Rights that are No Longer Yours and/or Belong to Conservator(s).”● Item #6h: The Probate Code does not currently reference conservatee’s right to	<p>the person and of the estate. Section 2403(a) specifies that the petition and instructions may address “the administration, management, investment, disposition, care, protection, operation, or preservation of the estate, or the incurring or payment of costs, fees, or expenses.” Section 2359 places no such limit on the subjects that may be addressed by the petition or instructions in a conservatorship of the person. In some circumstances, section 1852 requires the court to notify the conservatee’s attorney, if any, or to appoint counsel to file the petition and represent the conservatee.</p> <p>The committee does not recommend the suggested change. Rule 1.5(d)(3) of the California Rules of Court provides that “[e]ach number (singular or plural) includes the other.” That principle of construction applies to the language of Judicial Council forms as well, and the suggested change is therefore unnecessary.</p> <p>The committee does not recommend the suggested change, as it would not capture those acts or decisions that are within the authority of both the conservator and conservatee, for example, the authority under section 2354 to give informed consent to the conservatee’s medical treatment. In those circumstances, it would be inaccurate to indicate that the authority or right belongs to the conservator and that it is no longer the conservatee’s.</p> <p>The committee has interpreted the scope of the legislative intent underlying section 2351(a) to</p>

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		<p>receive email or text messages. Is the assumption that this falls under Probate Code section 2351 and a specific order granting this power to the conservator(s) is required?</p> <ul style="list-style-type: none">• Item #6p: An additional line item is needed for the right to contract. This is typically captured under the Estate section, but for limited conservatorships, this is one of the standard seven powers that can be “limited.” See 2351.5(b)(4): The right of the limited conservatee to contract. If this is a limited conservatorship of the person only, we would need a box to mark under the person section. It wouldn’t make sense to mark it under the estate section if there is no conservatorship of the estate.• Item #7e: The second checkbox should reference Attachment 7e, rather than 7d.• Item #7f: We would prefer the form not specify the amount or time period for the allowance. This could change at every accounting and it would be an undue burden for the person preparing this form to have to research and confirm the allowance has not changed.	<p>encompass all commonly used modes of informal communication.</p> <p>The committee does not recommend the suggested change. Although item 6 focuses on personal care and item 7 focuses on estate management, both items should be completed for every conservatorship to indicate the rights retained by the conservatee as well as those limited by the court. Item 7 includes an opportunity to describe the allocation of the right to contract between the conservator and conservatee. If the court has not limited the right to contract of a limited conservatee of the person, item 7 would indicate that the conservatee retains the right to contract.</p> <p>The committee has corrected the error.</p> <p>The committee does not recommend the requested change. The bare fact that the court has ordered an allowance without specification of the amount and frequency is of little value to the conservatee. Furthermore, section 1835.5 requires the court to provide the conservatee with updated information annually; after the first year, that is twice as frequently as a conservator of the estate must file an accounting. (See Prob. Code, § 2620(a) (accounting due 1 year after appointment and biennially thereafter).) The annual updates require staff to determine not only whether the court has modified the allowance but whether it has made any other orders affecting the conservatorship.</p>

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		<ul style="list-style-type: none"> Clerk's Certificate: The Probate Code does not require a certified copy be provided to the conservatee. Service: Since the Court is required to provide this information to the conservatee, the form should include a Clerk's Certificate of Service by Mail. 	<p>The committee agrees and has modified its recommendation to remove the clerk's certificate. The requirement of a certificate would impose an unnecessary burden on the courts.</p> <p>The committee does not recommend the suggested change. In the absence of statutory direction, the committee prefers to leave each court free to document its processes in the manner best suited to its local practices and case management system.</p>
7. Trial Court Presiding Judges Advisory Committee (TCPJAC) and Court Executives Advisory Committee (CEAC) Joint Rules Subcommittee ("JRS")	A	<p>The JRS notes that the proposal is required to conform to a change of law.</p> <p>The JRS also notes the following impact to court operations:</p> <ul style="list-style-type: none"> Impact on existing automated systems. <ul style="list-style-type: none"> Some counties have created local rules and forms to implement the statute and have a local Personalized Information Conservatee form. The statewide optional form will not burden those counties. Counties without a form may find that the form saves time and they will need to add it to their case management systems or websites. Results in additional training, which requires the commitment of staff time and court resources. <ul style="list-style-type: none"> Staff will need to be trained on the new form. However, court attorneys should already be familiar with the rights; 	<p>The committee appreciates these comments. No further response required.</p> <p>The committee recognizes that some courts have created local forms to implement the requirements of Probate Code section 1835.5 and therefore continues to recommend the approval of form GC-342 for optional use.</p> <p>No response required.</p>

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		courtroom assistants may find this form easier to enter than individually written orders; and court technology support just needs to add forms or links to its website which should take little time.	

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