



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: September 20–21, 2018

Title

Probate Conservatorship and Guardianship:
Appointment of Counsel

Agenda Item Type

Action Required

Effective Date

January 1, 2019

Rules, Forms, Standards, or Statutes Affected

Approve forms GC-005 and GC-006

Date of Report

August 23, 2018

Recommended by

Probate and Mental Health Advisory
Committee

Contact

Hon. John H. Sugiyama, Chair

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Executive Summary

The Probate and Mental Health Advisory Committee recommends approving two Judicial Council forms for optional use for applying for and ordering appointment of counsel for a ward or a proposed ward; a conservatee or a proposed conservatee, including a limited conservatee; or a person alleged to lack legal capacity in a proceeding under division 4 (beginning with section 1400) of the Probate Code, which includes the Guardianship-Conservatorship Law. The forms are needed to facilitate appointment of counsel for the specified persons as early in the proceedings as possible.

Recommendation

The Probate and Mental Health Advisory Committee recommends that the Judicial Council, effective January 1, 2019, approve:

1. Form GC-005, *Application for Appointment of Counsel*, to offer parties and interested persons an opportunity to request appointment of counsel under section 1470 or 1471 of the Probate Code; and

2. Form GC-006, *Order Appointing Legal Counsel*, to offer the courts an efficient method for appointing counsel under section 1470 or 1471 and to include an advisement about the responsibility to pay for the costs of appointed counsel.

The revised forms are attached at pages 5–7.

Relevant Previous Council Action

The Judicial Council has never taken action related to this proposal.

Analysis/Rationale

The probate court holds the authority to appoint counsel for a ward, a proposed ward, a conservatee, or a proposed conservatee in any proceeding under division 4 of the Probate Code if the court determines that the person is not represented by counsel and that the appointment would be helpful to the resolution of the matter or is necessary to protect the person’s interests. (Prob. Code, § 1470(a).)

In addition, the court is required to appoint counsel for a conservatee, a proposed conservatee, or a person alleged to lack capacity in specified proceedings—that is, those to establish, transfer, or terminate a conservatorship; to appoint or remove a conservator; for a determination and order affecting the legal capacity of the conservatee; or for an order authorizing removal of a temporary conservatee from that person’s residence—in two sets of circumstances:

- First, the court must appoint counsel in those proceedings if the person is unable to retain counsel and has requested that the court appoint counsel. (Prob. Code, § 1471(a).)
- Second, the court must appoint counsel in those same proceedings if the person has not retained counsel, does not plan to retain counsel, and has not requested that the court appoint counsel, and the court determines that the appointment would either be helpful to resolution of the matter or is necessary to protect the person’s interests. (*Id.*, § 1471(b).)

In a proceeding to establish a limited conservatorship for a developmentally disabled adult, including a proceeding to modify or revoke the powers or duties of a limited conservator, the court must immediately appoint counsel for the person unless the person has already retained, or plans to retain, counsel. (Prob. Code, § 1471(c); see *id.*, § 1431.) Finally, the court must appoint counsel for a conservatee or person alleged to lack legal capacity in proceedings under other scattered sections of division 4 of the Probate Code, some of which refer back to section 1471 and some of which do not. (See, e.g., *id.*, §§ 1852, 2356.5, 2357, 3101, 3201.) The court investigator is typically responsible for informing the conservatee of the circumstances in which the court is authorized or required to appoint counsel, determining whether any of those circumstances exists, and including that information in the report. (See *id.*, §§ 1826, 1851.1.)

In many cases, the court does not learn of circumstances warranting appointment of counsel for a (proposed) ward, conservatee, or other protected person until shortly before or at the hearing on the petition. Appointment of counsel at that stage of the proceedings requires a continuance to

allow the appointed counsel to meet with the client and become familiar with the case. Probate courts and other stakeholders have indicated that appointment of counsel as early as possible in a proceeding would promote more efficient and informed case management and better protect the legal rights of persons subject to guardianship, conservatorship, or a determination of lack of legal capacity. The need is particularly acute in limited conservatorship proceedings, in which the court is required to appoint counsel *immediately* if the proposed limited conservatee has not retained counsel and does not plan to retain counsel. (Prob. Code, § 1471(c).)

By offering a simple procedure to notify the court before the hearing that appointment of counsel may be legally warranted, the recommended forms, *Application for Appointment of Counsel* (form GC-005) and *Order Appointing Legal Counsel* (form GC-006), will promote more effective representation, reduce delays, and allow more efficient disposition of protective proceedings. The application, form GC-005, solicits information about the person requesting appointment, the person to be represented, the type of proceeding, and the circumstances justifying or requiring the appointment of legal counsel under section 1470 or 1471 of the Probate Code. The applicant may file the form with the petition or, if not the petitioner, at any point after the filing of the petition. Nothing precludes more than one applicant from requesting appointment of counsel. This flexibility allows the need for appointment of counsel to come to the court's attention as early as possible in the proceeding.

The order, form GC-006, gives the court the opportunity to make findings of the facts and circumstances justifying or requiring appointment of counsel, order the appointment, and if appropriate, identify the attorney appointed. The form is proposed for optional use. It does not preclude the court from using other mechanisms to appoint counsel. If the form is used, copies of the order can be kept in the case file and given to the appointed attorney and the client for their reference.

Policy implications

In addition to implementing the council policies of updating rules and forms to conform to current law and practice and promoting equal access to justice, this recommendation promotes more effective legal representation of persons subject to protective proceedings in California courts.

Comments

This proposal circulated for comment as part of the winter 2018 invitation-to-comment cycle, from December 15, 2017, to February 9, 2018, to the standard mailing list for rules and forms proposals. Included on the list were appellate presiding justices, appellate court administrators, trial court presiding judges, trial court executive officers, judges, court administrators and clerks, attorneys, and other court staff and probate professionals. Four courts, three individuals, and three organizations provided comment. Three commenters agreed with the proposal. Seven commenters agreed and offered suggestions for further revisions. The committee incorporated most of the suggestions into its recommendation and made additional technical and clarifying changes consistent with those suggestions. A chart with the full text of the comments received and the committee's responses is attached at pages 8–16.

The committee requested comment on whether a single combined form or separate application and order forms would work more effectively. Four commenters, all courts or court-connected professionals, preferred separate forms; one commenter thought that a single form would be more efficient. The other two courts that commented did not express a preference, but did suggest including some of the information relevant to appointment of counsel on the petition. The Superior Court of San Diego County commented that it would not use the forms because it already has a local form that serves the same function. Based on the weight of the comments, particularly those that raised issues of compatibility with case managements systems, the committee elected to separate the application and the order into two forms.

Two commenters from San Diego, a private attorney and a probate attorneys' organization, suggested adding an item to the order to authorize the appointed attorney to have access to the client's private records and information, including medical records. The committee agreed that an appointed attorney should have the same access to a client's private records as a retained attorney and added an item to that effect to the order form. The ex parte authorization of access to records protected by state or federal confidentiality laws, including the Health Insurance Portability and Accountability Act of 1996 (HIPAA), is beyond the scope of this proposal and deserves careful consideration. The committee will take up this issue when developing its annual agenda for 2019.

Alternatives considered

As discussed above, the committee considered recommending a single form but was persuaded to separate the application form from the order form by the weight of comment and the additional flexibility provided by a separate order form. The committee also considered not recommending approval of any forms, but all commenters agreed that forms would be helpful, even if their own court would not use them.

Fiscal and Operational Impacts

Implementation will require courts that choose to use the order form to program their case management systems to recognize or generate it. Any training costs are expected to be minimal. Use of the application form by petitioners and others early in the proceeding may reduce the need to continue hearings to allow appointed counsel to gain familiarity with the case.

Attachments and Links

1. Forms GC-005 and GC-006, at pages 5–7
2. Chart of comments, at pages 8–16

ATTORNEY OR PARTY WITHOUT ATTORNEY		STATE BAR NUMBER:	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council
NAME:			
FIRM NAME:			
STREET ADDRESS:			
CITY:	STATE:	ZIP CODE:	
TELEPHONE NO.:	FAX NO.:		
E-MAIL ADDRESS:			
ATTORNEY FOR (name):			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF			
STREET ADDRESS:			
MAILING ADDRESS:			
CITY AND ZIP CODE:			
BRANCH NAME:			
CASE NAME:			
APPLICATION FOR APPOINTMENT OF COUNSEL <input type="checkbox"/> Guardianship <input type="checkbox"/> Conservatorship <input type="checkbox"/> Limited			CASE NUMBER:

1. I am (name of applicant): the (check all that apply):
- a. ☐ petitioner.
- b. ☐ guardian or proposed guardian.
- c. ☐ conservator or proposed conservator.
- d. ☐ ward or proposed ward.
- e. ☐ conservatee or proposed conservatee.
- f. ☐ other (specify):
2. I request appointment of counsel in this proceeding under division 4 of the Probate Code to represent (name):
- (address):
- (telephone number): (e-mail):
- who is a (check all that apply)
- a. ☐ ward or proposed ward.
- b. ☐ conservatee or proposed conservatee.
- c. ☐ person alleged to lack capacity.
- d. ☐ proposed limited conservatee.
3. ☐ The person named in 2 has not retained and does not plan to retain counsel, and is not otherwise represented by counsel.
4. ☐ Appointment of counsel to represent the person named in 2 would help to resolve the matter because (explain):
5. ☐ Appointment of counsel to represent the person named in 2 is necessary to protect the person's interests because (explain):
6. ☐ This is a proceeding described in Probate Code section 1471(a)(1)–(5), 1852, 2356.5, 2357, 3101, or 3201 (specify):
7. ☐ This is a proceeding to establish a limited conservatorship or to modify or revoke the powers or duties of a limited conservator.

I declare under penalty of perjury under the laws of the State of California that the information stated on this form is true and correct.

Date: _____

(SIGNATURE OF APPLICANT)

Page 1 of 1

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
<div style="text-align: center;"> ORDER APPOINTING LEGAL COUNSEL <input type="checkbox"/> Guardianship <input type="checkbox"/> Conservatorship <input type="checkbox"/> Limited </div>	CASE NUMBER:

1. Person for whom counsel is appointed

(name):

(address):

(telephone number):

(e-mail):

is a (check all that apply)

- a. ☐ ward or proposed ward.
- b. ☐ conservatee or proposed conservatee.
- c. ☐ person alleged to lack capacity.
- d. ☐ limited conservatee or proposed limited conservatee.

THE COURT FINDS

2. ☐ The person named in 1 has not retained legal counsel and is not otherwise represented by counsel in this proceeding.
3. a. ☐ The appointment of counsel would be helpful to the resolution of this matter.
 b. ☐ The appointment of counsel is necessary to protect the interests of the person named in 1.
 c. ☐ The appointment of counsel is required by statute irrespective of the considerations in a or b.

THE COURT ORDERS

4. ☐ As determined by local procedure, the next available attorney who has certified his or her qualifications to the court and has no known conflict of interest is appointed to represent the person named in 1 as counsel of record in this proceeding.

Attorney (name):

Firm, agency, or office (name):

(address):

(telephone number):

(e-mail):

(State Bar number):

5. ☐ To the same extent as an attorney retained by the client, the attorney appointed in 4 is authorized to inspect and obtain copies of records pertaining to the client's education, physical or mental health, or any other matter relevant to the proceeding.

Date:

JUDICIAL OFFICER

(See the next page for important information.)

Page 1 of 2

CASE NAME:

CASE NUMBER:

NOTICE

At the end of the proceeding, the court will determine a reasonable amount to pay the appointed attorney.

- If the client is a minor child, the court will order the child's parent or parents or the child's estate to pay as much of that amount as is just and they are able to pay.
- If the client is an adult, the court will order the client or the client's estate to pay as much of the amount as the client is able to pay.
- If the court determines that no one who is legally responsible for payment is able to pay the amount or any part of it, the county will be responsible for paying the part that is unpaid.
- The Judicial Council has published guidelines for determining whether a person is able to pay the appointed attorney as Appendix E to the California Rules of Court.

W18-08**Probate Law: Appointment of Counsel** (approve form GC-005)

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

	Commentator	Position	Comment	Committee Response
1.	Hon. Tari L. Cody, Judge Superior Court of Ventura County	AM	I suggest the application and order be separate. There are times when counsel is appointed for a minor ward during hearing even though no formal application has been submitted. Having a separate order would allow the court to sign the order without a formal application.	The committee agrees and has separated the order from the application.
2.	County of Santa Clara Department of Family and Children's Services by Francesca LeRue, Director	A	<p>Proposal W18-09 is issued for public comment relating to Probate Law: Appointment of Counsel. The proposal has been reviewed by Santa Clara County Department of Family and Children's Services (DFCS) who is in agreement with the proposal. Our comments are below:</p> <p>1. The proposal deals solely with appointment of probate counsel in probate proceedings, and has no impact on DFCS' work. A form has been created for optional use in order to apply for and appoint counsel for a conservatee, a proposed conservatee, or a person alleged to lack capacity in specified proceedings. The form is straightforward and clear and we don't have any suggested changes.</p>	The committee appreciates the comment. No further response is required.
3.	Keri Griffith, Sr. Manager, Operations Juvenile & Probate Courthouse Superior Court of Ventura County	AM	<p>I would like to comment on form GC-005 with respect to the impact on filing clerks. As a general rule, I find that creating separate forms is preferred when a clerk must work with a document that has multiple purposes, and particularly ones that are signed by a judicial officer.</p> <p>In this instance, when the application (GC-005)</p>	The committee agrees with the suggestion and has separated the order from the application.

Positions: A = Agree; AM = Agree if modified; N = Do not agree.

W18-08**Probate Law: Appointment of Counsel** (approve form GC-005)

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			<p>is submitted to the court, if not acted on by the judicial officer immediately, it should be filed in the case and entered into the CMS.</p> <p>Subsequently, when the order appointing counsel is made, a separate order should be filed and entered into the CMS. Having the order on the same form with the application makes it difficult to work with because the judicial officer should not sign an order on a document that has already been filed. Unless the intention is for the application to go directly to a judicial officer.</p> <p>Therefore, I would suggest the creation of two separate forms, one for the application and one for the order.</p>	
4.	Orange County Bar Association Newport Beach by Nikki P. Miliband, President	A	<p>Yes, the proposal appropriately addresses the stated purpose.</p> <p>It is believed one form is more efficient, than two separate documents would be.</p> <p>No comments are offered at this time, as to any needed rule amendments or form revisions.</p>	<p>The committee appreciates the comment. No further response is required.</p> <p>Based on comments received from judges and court staff and anticipating that the order will frequently be issued without an application having been filed, the committee has revised its recommendation to separate the application and the order.</p> <p>No further response is required.</p>
5.	Probate Attorneys of San Diego by Gary D. Jander, President	AM	As an organization of Probate Attorneys, we support the creation of the new form. San Diego Probate Court created a similar form which they have been using for years.	The committee appreciates the organization's comment.

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			<p>On behalf of the Board of Directors of the Probate Attorneys of San Diego, we respectfully request that additional language be added to the to make the proposed form more useful to Court Appointed Counsel as follows:</p> <p>“This Order shall authorize the attorney to inspect and obtain copies of records he or she believes are relevant to the client, including but not limited to, records maintained by any school, hospital, medical facility, mental health facility, treatment program, doctor or other social or human services agency. In addition, this Order shall authorize the attorney to communicate in writing or in person with personnel from any school, hospital, medical facility, mental health facility, treatment program, doctor or other social or human services agency, including topics that are confidential or otherwise subject to HIPAA privacy laws.”</p> <p>Such language will eliminate the need for court-appointed counsel to file motions or ex parte petitions after their appointment in order to obtain the necessary records or information needed to represent their clients.</p>	<p>The committee agrees in principle with the suggestion and has added language to the recommended order authorizing the appointed attorney to have the same level of access to the client’s confidential records and information as would a retained attorney. Authorizing appointed counsel to have unrestricted access to educational, health care, and other sensitive records is beyond the scope of this proposal.</p>
6.	Anne Rudolph Hughes & Pizzuto San Diego	AM	<p>In San Diego, we have a local form that includes the following helpful language for the court-appointed attorney:</p> <p>“This order shall authorize the attorney to</p>	<p>The committee appreciates the comment. See response to comment 5, above.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree.

Probate Law: Appointment of Counsel (approve form GC-005)

	Commentator	Position	Comment	Committee Response
			<p>inspect and obtain copies of records he/she believes are relevant to the client, including, but not limited to, records maintained by any school, hospital, medical facility, treatment program, doctor, or other social or human services agency.”</p> <p>This would be helpful to include on the proposed Judicial Council form.</p>	
7.	Superior Court of Los Angeles County (no name provided)	AM	<p>Would two separate forms—one for the application and one for the order—promote more efficient case management? The proposed form GC-005 should be drafted as two separate forms with different form numbers. With the implementation of eFiling, the need for Orders to be created as stand-alone documents is critical for the work flows to be effective. This request should be considered in every instance where the application or request is combined with an Order as one document. Otherwise, courts will incur additional costs with enhancement requests.</p> <p>What would the implementation requirements be for courts? Notwithstanding the above comment, the proposal will not add costs and the impact to the court will be minimal.</p>	<p>The committee agrees and has separated the order from the application.</p> <p>No response required.</p>
8.	Superior Court of Monterey County by Monica Mitchell, Research Attorney	AM	Thank you for creating this form. In limited conservatorship cases, which are often being handled by self-represented litigants, the procedure for appointment of counsel is not	The committee appreciates the court’s comment.

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			<p>standardized throughout the state. In Monterey County, the Self-Help Program developed a template which could be used in forms programs to request appointment of counsel. Other counties must have similar pleading templates.</p> <p>1. Two forms should be created—one for guardianship and one for conservatorship. The form will be less confusing if it is limited to one subject. For guardianship appointments, it would be important to notify the applicant about the possible payment of attorney fees under Probate Code Section 1470(c)(3) and that a parent might have to pay. There is no similar provision for conservatorship cases. Further, appointment in a guardianship case is discretionary and many courts may not have the resources to routinely appoint counsel in those cases.</p> <p>2. It would be helpful to add the Probate Code Section number to Item 3 (Probate Code § 1470).</p> <p>3. Dementia appointments are not addressed in the form. See Probate Code Section 2356.5.</p> <p>4. Instructions should be provided to applicant that a copy of the order of appointment should be delivered to the appointed counsel and Court Investigator, along with a copy of all pleadings</p>	<p>The creation of separate appointment forms for guardianship and conservatorship proceedings is beyond the scope of this proposal. The committee will discuss creating separate form sets—one for guardianship proceedings and another for conservatorship proceedings—when developing its 2019 annual agenda.</p> <p>The committee has modified its recommendation to resolve the issue raised by the comment.</p> <p>The committee has added references to sections 1852, 2356.5, and 2357, all of which require appointment of counsel in specific circumstances.</p> <p>The committee does not recommend the suggested change. Court procedures for communicating with appointed counsel vary from court to court. The committee has recommended</p>

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			filed.	the forms for optional use to accommodate that variety. Imposition of a single statewide procedure absent a demonstrated benefit would be inappropriate. Appointment of, and communication with, the court investigator is beyond the scope of this proposal.
9.	Superior Court of Riverside County by Susan Ryan, Chief Deputy of Legal Services	AM	<p>The GC-005 form could be a helpful tool for a petitioner to advise the court of a need for appointment of counsel that arises after a petition for appointment has already been filed.</p> <p>However, the form would not be useful to most courts for situations where appointment of counsel is mandatory due to the relief requested in the petition. In those situations, the interests of judicial efficiency would usually require appointment at the time the petition was filed whether or not this form is supplied.</p> <p>The GC-005 form does not capture information as to whether the conservatee or proposed conservatee has already retained counsel, or intends to do so. For mandatory appointments, this would be useful information that would indicate reasons why the court should not appoint counsel at the time the petition was</p>	<p>The committee appreciates the court's comments. The committee intends that the application might be filed by petitioners, with or after the petition, or by other interested persons after a petition is filed.</p> <p>The committee has modified its recommendation to separate the application form from the order. This separation would allow the court to use the order form to appoint counsel when the petition was filed even if no application is made. However, the committee takes no position on whether appointment of counsel is ever required based solely on the relief requested in the petition. As the commentator recognizes in its next comment, most, if not all, of the statutory provisions mandating appointment of counsel appear to condition that duty on the prospective client's lack of existing or planned representation.</p> <p>The committee has modified the application form to solicit the suggested information. If the committee has further occasion to revise the petition form, it will consider soliciting that information there, too.</p>

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	Commentator	Position	Comment	Committee Response
			<p>filed. However, if this data were to be collected it would be seem more efficient to supply it on the petition to appoint a conservator rather than on an additional form.</p> <p><i>Does the proposal appropriately address the stated purpose?</i> Yes.</p> <p><i>Would two separate forms—one for the application and one for the order—promote more efficient case management?</i> No.</p> <p><i>Are additional rule amendments or form revisions needed to address issues related to appointment of counsel in guardianship or conservatorship proceedings, including limited conservatorships?</i> For mandatory appointments it would be seem more efficient to capture information as to whether the conservatee or proposed conservatee has already retained counsel or intends to on the petition to appoint a conservator rather than on an additional form.</p> <p><i>Would the proposal provide cost savings?</i> No.</p> <p><i>What would the implementation requirements be for courts?</i> Minimal training for court staff that choose to utilize this form.</p> <p><i>Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</i> Yes.</p>	<p>No further response is required.</p> <p>In response to comments from other courts and practitioners, the committee has separated the application and the order into two forms.</p> <p>Revisions to form GC-310, the petition to appoint a conservator, are beyond the scope of this proposal. The committee will consider providing an opportunity to capture this information on the petition form the next time it considers revisions to that form.</p> <p>No further response is required.</p> <p>No further response is required.</p> <p>No further response is required.</p>

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	Commentator	Position	Comment	Committee Response
			<i>How well would this proposal work in courts of different sizes?</i> No difference.	No further response is required.
10.	Superior Court of San Diego County by Mike Roddy, Executive Officer	A	<p><i>Q: Does the proposal appropriately address the stated purpose?</i> A: Yes.</p> <p><i>Q: Would two separate forms—one for the application and one for the order—promote more efficient case management?</i> A: No.</p> <p><i>Q: Are additional rule amendments or form revisions needed to address issues related to appointment of counsel in guardianship or conservatorship proceedings, including limited conservatorships? If so, please specify.</i> A: No.</p> <p><i>Q: Would the proposal provide cost savings? If so, please quantify.</i> A: No.</p> <p><i>Q: 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> A: If the form is optional, our court will not likely adopt it, so there would be no training required or procedure to revise. We would continue to generate the form out of our case management system, shortly after the case is filed.</p>	<p>The committee appreciates the court's comments. No further response to this comment is required.</p> <p>In response to comments from other courts and practitioners, the committee has separated the application and the order into two forms.</p> <p>No further response is required.</p> <p>No further response is required.</p> <p>The committee recommends that the Judicial Council approve the forms for optional use. No further response is required.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree.

W18-08

Probate Law: Appointment of Counsel (approve form GC-005)

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

	Commentator	Position	Comment	Committee Response
			<i>Q: Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</i> A: Yes.	No further response is required.
			<i>Q: How well would this proposal work in courts of different sizes?</i> A: This may be better suited for smaller courts with less volume. Tracking these application and orders in a high-volume court would be time-consuming.	The committee recommends that the Judicial Council approve the forms for optional use. Approval for optional use would allow local courts to determine whether to use the order form or a different method of appointing counsel that better suits their needs.
			<i>General Comments:</i> There is not a need for these forms in our court. Our court reviews each conservatorship when filed and generates an order out of our case management system, when applicable. Adding these forms, to an already complicated packet of conservatorship forms to be filled out by the party, seems like adding an unnecessary step.	See response to previous comment.

Positions: A = Agree; AM = Agree if modified; N = Do not agree.