



# Judicial Council of California

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## Subject Details (With Text)

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**Title:** Rules and Forms | Probate Conservatorship and Guardianship: Eligibility for County Payment of Cost of Appointed Counsel (Action Required)

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Date	Ver.	Action By	Action	Result
9/19/2023	1	Judicial Council	approved	Pass

### Title

### Rules and Forms | Probate Conservatorship and Guardianship: Eligibility for County Payment of Cost of Appointed Counsel (Action Required)

#### Summary

The Probate and Mental Health Advisory Committee recommends amending the *Guidelines for Determining Financial Eligibility for County Payment of the Cost of Counsel Appointed by the Court in Proceedings Under the Guardianship-Conservatorship Law (Guidelines)*, Appendix E of the California Rules of Court, to update the criteria for establishing presumptive eligibility for county payment of the cost of court-appointed counsel and to make a minor technical revision. The recommendation maintains the Judicial Council’s policy of basing the criteria for presumptive eligibility for county payment on the conditions for granting an initial court fee waiver under Government Code section 68632(a)-(c) by adjusting the criteria in the *Guidelines* to conform to recent amendments to that statute.

#### Recommendation

The Probate and Mental Health Advisory Committee recommends that the Judicial Council, effective January 1, 2024, amend the California Rules of Court, Appendix E, as follows:

1. Amend paragraph 4A to include two public benefit programs recently added to Government Code section 68632(a); and
2. Amend paragraph 4B to increase the maximum income threshold from 125 percent of the federal poverty guidelines to 200 percent to conform to the recent amendment of Government Code section 68632 (b).