



Judicial Council of California

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January 19, 2024

Subject Text

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File #: 18-161, **Version:** 1

Title

Probate Conservatorship and Guardianship: Appointment of Counsel (Action Required)

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.