

Cost \$5.00

# CONSERVATORSHIP PACKET

Updated: July 1, 2016



CONSERVATORSHIP OF (Name):	CASE NUMBER:
_____	_____
CONSERVATEE	

- III. A. 1. An evaluation of the level of care existing when the petition for your appointment as a conservator was filed and the measures that would be necessary to keep the conservatee in his or her personal residence.

(Note: The conservatee's personal residence is the residence the conservatee understood or believed to be his or her permanent residence on (1) the date the petition for appointment of a conservator was filed in this matter, or (2) on the last earlier date the conservatee could form or communicate an understanding or belief about a permanent residence, whether or not he or she was living there when the appointment petition was filed. See Cal. Rules of Court, rule 7.1063(b).)

2. A plan to return the conservatee to his or her personal residence or an explanation of the limitations or restrictions on a return of the conservatee to that residence in the foreseeable future if the conservatee was not living there when the petition for appointment of a conservator was filed.
3. A reevaluation after a material (important) change in circumstances affecting the conservatee's needs for placement and care after your initial determination.
4. If the conservatee is a limited conservatee who is developmentally disabled, special rules may apply to the determination of his or her level of care and residential placement. See item VI below.

#### B. DECIDE WHERE THE CONSERVATEE WILL LIVE

1. You must decide where the conservatee will live. You may choose a residence in California without prior approval of the court, but you must choose the least restrictive appropriate residence that is available and necessary to meet the conservatee's needs and that is in his or her best interests.
2. You must file a written notice of any change of the conservatee's residence with the court within 30 days of the move, and you must mail copies of the notice to the conservatee's attorney, the conservatee's spouse or registered domestic partner, and the conservatee's relatives who were mailed copies of the petition for your appointment as conservator, unless the court excuses you from the mailing to prevent harm to the conservatee. (There is a court form you must use for this notice and another form you may use to prove that you have mailed it. The forms are the *Post-Move Notice of Change of Residence of Conservatee or Ward* (form GC-080) and the *Attachment to Post-Move Notice, etc.* (form GC-080(MA)). These forms refer to a "post-move notice" because the notice may be filed and mailed after the date of the move.)
3. The law presumes that the conservatee's personal residence (see item IIIA) is the conservatee's least restrictive appropriate residence. There must be a reason supported by sufficient evidence to justify a change of residence from the conservatee's personal residence (including a move from a care facility or other temporary placement to a residence that is not the conservatee's personal residence).
4. If you want to move the conservatee from his or her personal residence, in addition to the post-move notice described in item 2, you must mail a notice of your intent to change the conservatee's residence to the conservatee, the conservatee's attorney, if any, and to each other person or entity entitled to notice of the hearing on the petition for your appointment as conservator; and then you must file with the court proof that the notice was mailed. Unless there is an emergency requiring a shorter period of notice, this notice must be mailed at least 15 days before the date of the proposed move. (There is a court form you must use for this notice and another form you may use to prove that you have mailed it. The forms are the *Pre-Move Notice of Proposed Change of Personal Residence of Conservatee or Ward* (form GC-079) and the *Attachment to Pre-Move Notice, etc.* (form GC-079(MA)). These forms refer to a "pre-move notice" because the notice must be mailed before the move.)
5. If you want to establish the conservatee's residence outside California, you must petition the court for permission before the move. Notice of the court hearing on this petition, together with a copy of the petition, must be mailed to the conservatee and the other persons and entities that were entitled to notice of the hearing on the petition for your appointment as conservator. There is a court form for this petition, the *Petition to Fix Residence Outside the State of California* (form GC-085). Notice of the hearing and proof of its mailing is given on another court form, the *Notice of Hearing—Guardianship or Conservatorship* (form GC-020).
6. You may not place the conservatee involuntarily in a mental health treatment facility unless he or she has been determined to be gravely disabled as the result of a mental disorder or impairment by chronic alcoholism, you have been appointed as conservator under the Lanterman-Petris-Short Act (Welf. & Inst. Code, § 5350 et seq.), and then only if the court has authorized the placement. If the court has authorized you to place the conservatee in a secured-perimeter residential care facility or a locked and secured nursing facility because he or she suffers from dementia, you must be sure that the placement is the least restrictive placement appropriate to the conservatee's needs.

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### III. C. PROVIDE MEDICAL CARE FOR THE CONSERVATEE

You are responsible for making sure that the conservatee's health care needs are met. But there are special rules you must follow to meet these needs. Two of the most important rules are as follows:

1. Unless the court has given you exclusive authority to consent to the conservatee's medical treatment because the court has determined that the conservatee has lost the capacity to make sound medical decisions, your consent or refusal to consent to such treatment is not sufficient if the conservatee disagrees (except in certain emergency situations). If you do have exclusive medical consent authority, you should be sure that all medical treatment and medications are appropriate.
2. If the conservatee has dementia and has lost the capacity to give an informed consent to the administration of medications for its treatment and care, you must be given specific authority by the court to consent to the administration of these medications. If you do have this authority, you should be sure that the medications are appropriate.

### D. WORK WITH THE PERSON(S) RESPONSIBLE FOR MANAGING THE CONSERVATEE'S PROPERTY

If other persons are handling the conservatee's property, such as his or her estate conservator, the conservatee's spouse or registered domestic partner in possession of the couple's marital or partnership property, or the trustee of a trust created for the management of the conservatee's property and for his or her support, you must work together to be sure that the conservatee can afford the care you arrange. Purchases you make for the conservatee must be approved by the person(s) responsible for managing the conservatee's assets or you may not be reimbursed or your reimbursement may be delayed.

## IV. CONSERVATOR OF THE ESTATE

The conservatee's property or assets and income are known as the conservatee's "estate." If the court appoints you as conservator of the estate, you will manage the conservatee's finances, protect the conservatee's income and property or assets, make an inventory of the conservatee's property or assets, make sure the conservatee's bills are paid, invest the conservatee's money, see that the conservatee receives all the income and benefits to which he or she is entitled, ensure that the conservatee's tax returns are filed on time and all taxes paid, keep accurate financial records, and regularly report the conservatee's financial condition to the court. *(Note: Property or assets and income in a trust for the conservatee's support and maintenance are usually not considered as part of the conservatee's estate, particularly if the trust was created and funded before the appointment of a conservator. Unless the conservatee's spouse or registered domestic partner consents to its inclusion in the conservatee's estate, the community property of the conservatee and his or her spouse or registered domestic partner under the management and control of the spouse or partner is also not part of the conservatee's estate.)*

### A. MANAGING THE ESTATE

#### 1. Prudent management for the benefit of the conservatee; prudent investments

You must manage the estate's property or assets and income for the benefit of the conservatee and with the care of a prudent person dealing with someone else's property. You must not make unreasonably risky investments of money or property of the estate.

#### 2. Prior court approval required for fees, borrowing, loans, and gifts

You must ask and receive the court's permission, after full disclosure of all relevant facts, before you may pay from the conservatee's estate fees to yourself for your services as conservator and to your attorney for his or her services to you; borrow money for or loan money from the conservatee's estate (to yourself or anyone else); or make gifts of estate assets or property.

#### 3. Keep estate money and property separate from your or anyone else's money or property

You must keep the money and property of the conservatee's estate separate from your money or property or from the money or property of any other person. Never deposit estate funds in your personal bank account or otherwise mix them with your or anyone else's funds, even for brief periods. Title to individual stocks, bonds, or other securities; securities broker accounts; mutual funds; and accounts with banks and other financial institutions must show that these assets are property of the conservatorship estate and not your or anyone else's property.

#### 4. Interest-bearing accounts and other investments

Except for a checking account intended for payment of ordinary expenses, estate bank accounts must earn interest. You may deposit estate funds in one or more insured accounts in financial institutions, but you should not put more than the FDIC insurance limit, currently \$250,000, in any single institution. You have authority to make some investments without court approval. Other investments may be made only after court approval has been obtained. Consult with an attorney before making any investments, even those you have authority to make without court approval.

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**IV. A. 5. Claims against others on behalf of the conservatee**

Pursue claims against others on behalf of the conservatee's estate when it is in the best interests of the conservatee or his or her estate to do so. The court may require you to be represented by a lawyer to proceed with litigation on behalf of the conservatee's estate. Consider requesting prior court authority to pursue or compromise large or complex claims, particularly those that might require litigation and the assistance of legal counsel and those that might result in an award of attorney fees for the other party against the conservatee's estate if you are unsuccessful. You may sign a contingent fee agreement with legal counsel on behalf of the conservatee's estate if such agreements are customary for the type of case involved, but the court must approve the agreement before it is enforceable. You may ask for court approval of a contingent fee agreement before signing it and before legal counsel performs any services under it.

**6. Defend against claims against the conservatee's estate**

Defend against actions or claims against the conservatee or his or her estate when it is in the best interest of the conservatee or the estate to do so. The court may require you to be represented by a lawyer for your defense of a lawsuit against the conservatee's estate. You may request court approval or instructions concerning the defense or compromise of such a lawsuit.

**7. Public and insurance benefits**

You must learn about and collect all public and insurance benefits for which the conservatee is eligible.

**8. Evaluate the conservatee's ability to manage cash and other assets**

You should evaluate the conservatee's ability to manage cash or other assets and take appropriate action, including asking for prior court approval when necessary or appropriate, to enable the conservatee to do so to the level of his or her ability.

**9. Locate the conservatee's estate planning documents**

You should undertake, as soon as possible after your appointment and qualification as conservator, to locate and take reasonable steps to ensure the safety of the conservatee's estate planning documents, including wills and codicils, living trusts, powers of attorney for health care and finances, life insurance policies, and pension records.

**10. Preserve property mentioned in the conservatee's estate planning documents**

Make reasonable efforts to identify, locate, and preserve property mentioned in the conservatee's estate planning documents.

**11. Guard against inappropriate disclosure of the conservatee's financial information**

Subject to your duty of full disclosure to the court and persons entitled under the law to receive it, you must closely guard against unnecessary or inappropriate disclosure of the conservatee's financial information.

**12. Conservatee's tangible personal property**

If you plan to dispose of any of the conservatee's tangible personal property, inform the conservatee's family members in advance and give them an opportunity to acquire the property, with approval or confirmation of the court.

**13. Factors to consider when deciding whether to dispose of any of the conservatee's property**

In deciding whether it is in the best interest of the conservatee to dispose of property of his or her estate, consider the following factors, among others, as appropriate in the circumstances:

- (A) The likely benefit or improvement of the conservatee's life that disposing of the property would bring;
- (B) The likelihood that the conservatee would need or benefit from the property in the future;
- (C) The previously expressed or current desires of the conservatee concerning the property, unless accommodating those desires would violate your fiduciary duty to the conservatee or impose an unreasonable expense on the estate;
- (D) The provisions of the conservatee's estate plan concerning the property;
- (E) The tax consequences of disposing of the property;
- (F) The impact of disposition on the conservatee's eligibility for public benefits;
- (G) The condition of the entire estate;
- (H) The likelihood that the property will deteriorate or be subject to waste if kept in the estate; and
- (I) The benefit versus the cost or liability of maintaining the property in the estate.

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#### IV. A. 14. Property, casualty, and liability insurance

Determine the appropriate kinds and adequate levels of property, casualty, and liability insurance covering the property, assets, risks, and potential liabilities of the conservatee and his or her estate. Maintain the insurance in force during the entire period of the administration (except for assets after they are sold).

#### 15. Communicate with conservator of the person and trustee

You should communicate as necessary and appropriate with the conservator of the conservatee's person, if any, and with the trustee of any trust of which the conservatee is a beneficiary.

#### 16. Other limitations or restrictions

There are many limitations or restrictions on your authority to deal with estate assets not mentioned here. If you do not obtain the court's permission when it is required before taking an action, you may be removed as conservator or you may be required to reimburse the estate from your own personal funds, or both.

### B. INVENTORY OF ESTATE PROPERTY

#### 1. Locate and take possession of the estate's property and prepare an inventory

You must identify, locate, take possession of, and protect all the conservatee's property, assets, and income that will be or become part of the conservatorship estate. You must change the record title or ownership of most property and assets of the estate to reflect the conservatorship. You must record a copy of your *Letters of Conservatorship* (form GC-350) with the county recorder in each county where the conservatee owns real property. You must then prepare an inventory, or a list, of all of the real and personal property of the estate. There are court forms that must be used for the inventory. These consist of a two-page cover sheet, *Inventory and Appraisal* (form DE-160/GC-040) and one or more pages to be attached to the cover sheet containing the list of property, *Inventory and Appraisal Attachment* (form DE-161/GC-041). The property is separated into two categories, cash and cash-equivalent items, listed on Attachment 1; and all other types of real and personal property, listed on Attachment 2.

#### 2. Determine the value of the estate's property

You must arrange to have a probate referee appointed by the court appraise, or determine the fair market value of, the noncash property of the estate shown in Attachment 2 of your inventory unless the referee's appointment is waived by the court. You, rather than the referee, may appraise the value of the cash and cash-equivalent items of property listed in Attachment 1, such as bank accounts.

#### 3. File and mail copies of the inventory and appraisal and notice of how to object

Within 90 days after your appointment as conservator, unless the court gives you more time, you must file with the court your inventory containing the appraisals of estate property, signed by you and, if the probate referee has appraised assets, by the referee. You must also mail copies of the completed inventory and appraisal to the conservatee, the conservatee's attorney, if any, and the conservatee's spouse or registered domestic partner, parents, and children, and must give them written notice of how to file an objection to the inventory and appraisal. There is a court form that must be used for this notice, the *Notice of Filing of Inventory and Appraisal and How to Object to the Inventory or the Appraised Value of Property* (form GC-042).

### C. RECORD KEEPING AND ACCOUNTING

#### 1. Keep records and prepare accountings

You must keep complete and accurate records of each financial transaction affecting the estate, including all receipts of income, changes in assets or property held in the estate, and expenditures. The checkbook for the conservatorship checking account is your indispensable tool for keeping records of income and expenditures. You should also save original bills or invoices paid, records of property sale transactions, receipts for money spent, and bank or other institutions' statements showing income received and money spent. You must prepare periodic accountings of all money and property you have received, what you have spent, the date of each transaction, and its purpose. Your accountings must describe in detail what you have left after you pay the estate's expenses. There are court forms you may, or in some situations must, use for your accountings. You will have to file original statements from banks and other institutions with your accountings.

CONSERVATORSHIP OF (Name):  _____	CASE NUMBER:  _____
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#### IV. C. 2. Court review of your accountings and records

You must file with the court a report with each of your accountings that shows the current circumstances of the conservatee and the estate, along with a petition requesting that the court review and approve the accounting. Your first accounting is due one year after your appointment, and later accountings must be filed at least every two years after that. The court may order you to file more frequent accountings. You must save your receipts and other original records because the court may ask to review them. If you do not file your accountings as required, the court will order you to do so. You may be removed as conservator if you fail to properly prepare and file your accountings or comply with the court's orders.

#### V. DUTY TO DISCLOSE CHANGES IN MARITAL OR DOMESTIC PARTNERSHIP STATUS

If you are the spouse of the conservatee, you must disclose to the court, and give notice to interested persons under the Probate Code, of the filing of any action or proceeding against the conservatee for (1) legal separation, (2) dissolution of marriage, or (3) adjudication of nullity of the marriage. If you are or were the registered domestic partner of the conservatee, you must disclose to the court any termination of the domestic partnership. The disclosure must be made within 10 days of the initial filing of the action or proceeding or termination of the partnership by filing a notice with the court. If you are not the spouse or registered domestic partner or former partner of the conservatee and one of these events occurs, the conservatee's spouse or former registered domestic partner must disclose the event to you within the same 10-day period.

#### VI. LIMITED CONSERVATOR (for the developmentally disabled only)

##### A. AUTHORITY SPECIFIED IN YOUR LETTERS OF CONSERVATORSHIP AND APPOINTMENT ORDER

If the court appoints you as limited conservator, you will have authority to take care of only those aspects of the conservatee's life and financial affairs specified in your *Letters of Conservatorship* and the court's order appointing you. The conservatee retains all other legal and civil rights. Although most of the information provided in this form also applies to limited conservatorships (especially the duties of the conservator of the person), you should clarify with your attorney exactly which information applies in your case.

##### B. DUTY TO HELP LIMITED CONSERVATEE DEVELOP SELF-RELIANCE

You must secure treatment, services, and opportunities that will assist the limited conservatee to develop maximum self-reliance and independence. This assistance may include training, education, medical and psychological services, social opportunities, vocational opportunities, and other appropriate help.

##### C. DETERMINATION OF LEVEL OF CARE FOR CERTAIN LIMITED CONSERVATEES

The level of care determination described in item IIIA does not apply to a limited conservatee who receives services from a regional center for the developmentally disabled and for whom the Director of Developmental Services or the regional center is acting as conservator. Determination of the services provided for and residential placement of these limited conservatees are to be identified, delivered, and evaluated consistent with the individual program plan process described in Welfare and Institutions Code sections 4640-4659. (See *Prob. Code*, § 2352.5(e).)

#### VII. TEMPORARY CONSERVATOR

If the court appoints you as temporary conservator, you will generally have the same duties and authority as general conservators, except the conservatorship will end on the date specified in your *Letters of Temporary Conservatorship*. Most of the information in this form also applies to temporary conservatorships, but you must consult your attorney about which duties you will not perform because of the short duration of the temporary conservatorship appointment. A temporary conservator should avoid making long-term decisions or changes that could safely wait until a general conservator is appointed. As temporary conservator, you may not move a conservatee from his or her home, unless there is an emergency, or sell or give away the conservatee's home or any other assets without prior court approval.

**Sign the Acknowledgment of Receipt on page 7.**

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### VIII. JUDICIAL COUNCIL FORMS

This form identifies a number of Judicial Council forms used for court filings in conservatorship proceedings. This form, the petition for your appointment as conservator, and the order that appoints you as conservator are examples of Judicial Council forms. Judicial Council forms are either mandatory or optional. If a mandatory form applies to a situation or proposed action, it must be used. Optional forms may be used, at the option of the person preparing and filing the form or, in some situations, at the option of the court. Each form is identified on the bottom left side of its first page as optional or mandatory. Judicial Council forms are not available for every situation where a document may or must be filed with the court, but the forms address the most common and important matters that occur during a conservatorship. The *Handbook for Conservators* has additional information about Judicial Council conservatorship forms.

Your attorney will select and prepare the appropriate Judicial Council forms. However, if you do not have an attorney, you can prepare them yourself. All Judicial Council forms are posted on the California courts' public website, [www.courts.ca.gov](http://www.courts.ca.gov). Select "Forms" at the top of the site's home page, then select the form group in the drop-down menu in the middle of the page. All conservatorship forms are collected in the Probate—Guardianships and Conservatorships form group. They are designated with the prefix "GC," followed by a three-digit number. Forms shown in the drop-down list with an asterisk are mandatory forms.

The forms are posted on the website in both unfillable and fillable versions, as PDF files. The unfillable versions are designed to be completed by typewriter or, in some cases, by hand. Fillable forms may be filled out online, then printed out ready for signing and filing with the court, and they may also be saved to your computer and completed in more than one sitting. Go to the "Forms and Information" page at the Web site's Self-Help Center for more information on accessing the forms.

### ACKNOWLEDGMENT OF RECEIPT

#### *of Duties of Conservator and Handbook for Conservators* (Probate Code, § 1834)

I acknowledge that I have received this statement of the duties and liabilities of the office of conservator, the *Duties of Conservator* (form GC-348), and the *Handbook for Conservators* adopted by the Judicial Council.

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)



\_\_\_\_\_  
(SIGNATURE OF (PROPOSED) CONSERVATOR)

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(SIGNATURE OF (PROPOSED) CONSERVATOR)

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)



\_\_\_\_\_  
(SIGNATURE OF (PROPOSED) CONSERVATOR)

### NOTICE

**This statement of duties and liabilities is a summary and is not a complete statement of the law. Your conduct as a conservator is governed by the law itself and not by this summary or by the Judicial Council's *Handbook for Conservators*. When in doubt, consult your attorney.**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)  TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY          
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME: _____	
TEMPORARY CONSERVATORSHIP OF (Name): _____  CONSERVATEE	CASE NUMBER: _____
PETITION FOR APPOINTMENT OF TEMPORARY CONSERVATOR <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Person and Estate	HEARING DATE: _____ DEPT.: _____ TIME: _____

## 1. Petitioner (name each):

requests that

- a. (Name): \_\_\_\_\_  
 (Address and telephone number): \_\_\_\_\_

be appointed temporary conservator of the PERSON of the proposed conservatee and Letters issue upon qualification.

- b. (Name): \_\_\_\_\_  
 (Address and telephone number): \_\_\_\_\_

be appointed temporary conservator of the ESTATE of the proposed conservatee and Letters issue upon qualification.

- c. (1)  bond not be required because petition is for a temporary conservatorship of the person only.  
 (2)  bond not be required for the reasons stated in attachment 1c.  
 (3)  \$ \_\_\_\_\_ bond be fixed. It will be furnished by an admitted surety insurer or as otherwise provided by law.  
 (Specify reasons in attachment 1c if the amount is different from maximum required by Probate Code section 2320 and Cal. Rules of Court, rule 7.207(c).)  
 (4)  \$ \_\_\_\_\_ in deposits in a blocked account be allowed. Receipts will be filed.  
 (Specify institution and location): \_\_\_\_\_

- d.  a request for an exception to notice of the hearing on this petition for good cause is filed with this petition.  
 e.  the powers specified in Attachment 1e be granted in addition to the powers provided by law.  
 f.  other orders be granted (specify in attachment 1f).

## 2. The proposed conservatee is (name):

Current address:

Current telephone no.:

3. The proposed conservatee requires a temporary conservator to  provide for temporary care, maintenance, and support  
 protect property from loss or injury because (facts are  specified in attachment 3  as follows):

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## 4. Temporary conservatorship is required

- a.  pending the hearing on the petition for appointment of a general conservator.  
 b.  pending the appeal under Probate Code section 1301.  
 c.  during the suspension of powers of the conservator.

5.  Character and estimated value of the property of the estate (complete if a temporary conservatorship of the estate or the person and estate is requested):

- a. Personal property: \$ \_\_\_\_\_  
 b. Annual gross income from all sources, including real and personal property, wages, pensions, and public benefits: \$ \_\_\_\_\_  
 c. Additional amount for cost of recovery on the bond, calculated as required under Cal. Rules of Court, rule 7.207(c): \$ \_\_\_\_\_  
 d. Total: \$ \_\_\_\_\_

6.  Petitioner requests authority to change the proposed conservatee's residence during the temporary conservatorship

- a.  Petitioner proposes to change the residence of the proposed conservatee to (address):

The proposed conservatee will suffer irreparable harm if his or her residence is not changed as requested and no means less restrictive of the proposed conservatee's liberty will suffice to prevent the harm because (reasons are  specified in attachment 6a  as follows):

- b.  The proposed conservatee must be removed from the State of California to permit the performance of the following nonpsychiatric medical treatment essential to the proposed conservatee's physical survival. The proposed conservatee consents to this medical treatment. (Facts and place of treatment are  specified in attachment 6b  as follows):

7.  Petitioner is a professional fiduciary

- a. Petitioner holds license no. (specify): \_\_\_\_\_ from the Professional Fiduciaries Bureau of the Department of Consumer Affairs issued or last renewed on (specify later date of initial issuance or renewal): \_\_\_\_\_  
 b. Petitioner was requested to file this petition by (name): \_\_\_\_\_  
 c. The circumstances leading to petitioner's engagement to file this petition are described in attachment 7c.  
 d. Petitioner had: (1)  No relationship to the proposed conservatee, his or her family, or his or her friends before engagement to file this petition.  
 (2)  A relationship to the proposed conservatee, his or her family, or his or her friends before engagement to file this petition. That relationship is described in  attachment 7d.  the *Petition for Appointment of Probate Conservator (form GC-310)* filed with this petition or an attachment to that petition (specify attachment to general petition): \_\_\_\_\_

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8. Petitioner's contact with persons named in *Petition for Appointment of Probate Conservator*

- a.  Petitioner is the proposed conservatee. (If this item is selected, go to item 9.)
- b.  Petitioner is not the proposed conservatee. All persons other than the proposed conservatee named in the *Petition for Appointment of Probate Conservator* filed with this petition:
- (1)  Have been found and contacted. All will be given notice of the hearing on this petition.
- (2)  Have not been found or have not been contacted. Efforts to find the persons who have not been found and the reasons why any person cannot be contacted are described in one or more declarations under penalty of perjury attached to this petition as attachment 8b. (Attachment 8b is not a request for a good cause exception to notice. See Prob. Code, § 2250(e) and rule 7.1062 of the Cal. Rules of Court.)
- c.  Petitioner is not the proposed conservatee. Facts showing the preferences of the proposed conservatee concerning the appointment of any temporary conservator, and the appointment of the temporary conservator proposed in this petition, or why it was not feasible to ascertain those preferences, are specified in one or more declarations attached to this petition as attachment 8c.

9. Petitioner is informed and believes that the proposed conservatee

- a.  will attend the hearing.
- b.  is able but unwilling to attend the hearing, does not wish to contest the establishment of a conservatorship, does not object to the proposed conservator, and does not prefer that another person act as conservator.
- c.  is unable to attend the hearing because of medical inability. An affidavit or certificate of a licensed medical practitioner or an accredited religious practitioner is affixed as attachment 9c.
- d.  is not the petitioner, is out of state, and will not attend the hearing.

10.  Filed with this petition is a proposed *Order Appointing Court Investigator* (form GC-330).

11. All attachments to this form are incorporated by this reference as though placed here in this form. There are \_\_\_\_\_ pages attached to this form.

Date:

(SIGNATURE OF ATTORNEY\*)

\* (Signature of all petitioners also required (Prob. Code, § 1020).)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(SIGNATURE OF PETITIONER)

(TYPE OR PRINT NAME)

(SIGNATURE OF PETITIONER)

(TYPE OR PRINT NAME)



TEMPORARY CONSERVATORSHIP OF (Name): _____ <div style="text-align: right; margin-top: 10px;">CONSERVATEE</div>	CASE NUMBER: _____
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5.  The conservatee must be removed from the State of California to permit the performance of nonpsychiatric medical treatment essential to the conservatee's physical survival. The conservatee consents to this medical treatment.
6.  The conservatee need not attend the hearing.

**THE COURT ORDERS**

7. a.  (Name): \_\_\_\_\_ (Telephone): \_\_\_\_\_  
 (Address): \_\_\_\_\_

is appointed temporary conservator of the PERSON of (name): \_\_\_\_\_  
 and Letters shall issue upon qualification.

b.  (Name): \_\_\_\_\_ (Telephone): \_\_\_\_\_  
 (Address): \_\_\_\_\_

is appointed temporary conservator of the ESTATE of (name): \_\_\_\_\_  
 and Letters shall issue upon qualification.

8. a.  Bond is not required.
- b.  Bond is fixed at: \$ \_\_\_\_\_ to be furnished by an authorized surety company or as otherwise provided by law.
- c.  Deposits of: \$ \_\_\_\_\_ are ordered to be placed in a blocked account at (specify institution and location): \_\_\_\_\_

and receipts shall be filed. No withdrawals shall be made without a court order.  Additional orders in attachment 8c.

- d.  The temporary conservator is not authorized to take possession of money or any other property without a specific court order.
9.  The temporary conservator is authorized to change the residence of the conservatee to (address): \_\_\_\_\_
10.  The temporary conservator is authorized to remove the conservatee from the State of California to the following address to permit the performance of nonpsychiatric medical treatment essential to the conservatee's physical survival (address): \_\_\_\_\_
11.  The conservatee need not attend the hearing.
12.  In addition to the powers granted by law, the temporary conservator is granted other powers. These powers are specified  in attachment 12  below (specify): \_\_\_\_\_

13.  Other orders as specified in attachment 13 are granted.
14.  Unless modified by further order of the court, this order expires on (date): \_\_\_\_\_
15. Number of boxes checked in items 7-14: \_\_\_\_\_
16. Number of pages attached: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
 JUDICIAL OFFICER  
 SIGNATURE FOLLOWS LAST ATTACHMENT

ATTORNEY OR PARTY WITHOUT ATTORNEY (name, address, and State Bar number):  
After recording, return to:

TEL NO.: \_\_\_\_\_ FAX NO. (optional): \_\_\_\_\_

E-MAIL ADDRESS (optional): \_\_\_\_\_

ATTORNEY FOR (name): \_\_\_\_\_

SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY

STREET ADDRESS: 11 Court Street

MAILING ADDRESS: PO Box 1258

CITY AND ZIP CODE: Weaverville, CA 96093

BRANCH NAME: \_\_\_\_\_

FOR RECORDER'S USE ONLY

TEMPORARY  GUARDIANSHIP  CONSERVATORSHIP

OF (name): \_\_\_\_\_

MINOR  CONSERVATEE

CASE NUMBER: \_\_\_\_\_

LETTERS OF TEMPORARY  GUARDIANSHIP  CONSERVATORSHIP

Person  Estate

FOR COURT USE ONLY

LETTERS

1. (Name): \_\_\_\_\_

is appointed temporary  guardian  conservator of the  person

estate of (name): \_\_\_\_\_

2.  Other powers that have been granted or restrictions imposed on the temporary

guardian  conservator are  specified in Attachment 2.

specified below:

3. These Letters shall expire

a.  on (date): \_\_\_\_\_ or upon earlier issuance of Letters to a general guardian or conservator.

b.  on other date (specify): \_\_\_\_\_

4.  The temporary  guardian  conservator is not authorized to take possession of money or any other property without a specific court order.

5. Number of pages attached: \_\_\_\_\_

WITNESS, clerk of the court, with seal of the court affixed.

(SEAL)

Date: \_\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy

This form may be recorded as notice of the establishment of a temporary conservatorship of the estate as provided in Probate Code section 1875.

TEMPORARY <input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF (name): _____  <input type="checkbox"/> MINOR <input type="checkbox"/> CONSERVATEE	CASE NUMBER: _____
---	--------------------

**NOTICE TO INSTITUTIONS AND FINANCIAL INSTITUTIONS**  
(Probate Code sections 2890-2893)

When these *Letters of Temporary Guardianship* or *Letters of Temporary Conservatorship* (Letters) are delivered to you as an employee or other representative of an *Institution* or *financial institution* (described below) in order for the temporary guardian or temporary conservator of the estate (1) to take possession or control of an asset of the minor or conservatee named above held by your institution (including changing title, withdrawing all or any portion of the asset, or transferring all or any portion of the asset) or (2) to open or change the name of an account or a safe-deposit box in your financial institution to reflect the guardianship or conservatorship, you must fill out Judicial Council form GC-050 (for an institution) or form GC-051 (for a financial institution). An officer authorized by your institution or financial institution must date and sign the form, and you must file the completed form with the court.

There is no filing fee for filing the form. You may either arrange for personal delivery of the form or mail it to the court for filing at the address given for the court on page 1 of these Letters.

The temporary guardian or temporary conservator should deliver a blank copy of the appropriate form to you with these Letters, but it is your institution's or financial institution's responsibility to complete the correct form, have an authorized officer sign it, and file the completed form with the court. If the correct form is not delivered with these Letters or is unavailable for any other reason, blank copies of the forms may be obtained from the court. The forms may also be accessed from the judicial branch's public Web site free of charge. The Internet address (URL) is [www.courts.ca.gov/forms/](http://www.courts.ca.gov/forms/). Select the form group *Probate—Guardianships and Conservatorships* and scroll down to form GC-050 for an institution or form GC-051 for a financial institution. The forms may be printed out as blank forms and filled in by typewriter, or may be filled out online and printed out ready for signature and filing.

An *institution* under California Probate Code section 2890(c) is an insurance company, insurance broker, insurance agent, investment company, investment bank, securities broker-dealer, investment advisor, financial planner, financial advisor, or any other person who takes, holds, or controls an asset subject to a conservatorship or guardianship other than a financial institution. Institutions must file a *Notice of Taking Possession or Control of an Asset of Minor or Conservatee* (form GC-050) for an asset of the minor or conservatee held by the institution. ~~A single form may be filed for all affected assets held by the institution.~~

A *financial institution* under California Probate Code section 2892(b) is a bank, trust (including a Totten trust account but excluding other trust arrangements described in Probate Code section 82(b)), savings and loan association, savings bank, industrial bank, or credit union. Financial institutions must file a *Notice of Opening or Changing a Guardianship or Conservatorship Account or Safe-Deposit Box* (form GC-051) for an account or a safe deposit box held by the financial institution. A single form may be filed for all affected accounts or safe deposit boxes held by the financial institution.

**LETTERS OF TEMPORARY  GUARDIANSHIP  CONSERVATORSHIP**  
**AFFIRMATION**

I solemnly affirm that I will perform according to law the duties of temporary  guardian.  conservator.

Executed on (date): \_\_\_\_\_, at (place): \_\_\_\_\_

(TYPE OR PRINT NAME)	(SIGNATURE OF APPOINTEE)
----------------------	--------------------------

**CERTIFICATION**

I certify that this document, including any attachments, is a correct copy of the original on file in my office and that the Letters issued to the person appointed above have not been revoked, annulled, or set aside and are still in full force and effect.

(SEAL)

Date: \_\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> Trinity STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CONSERVATORSHIP OF (name): <div style="text-align: right;">(PROPOSED) CONSERVATEE</div>	
<b>PETITION FOR APPOINTMENT OF</b> <input type="checkbox"/> <b>SUCCESSOR</b> <b>PROBATE CONSERVATOR OF THE</b> <input type="checkbox"/> <b>PERSON</b> <input type="checkbox"/> <b>ESTATE</b> <input type="checkbox"/> <b>Limited Conservatorship</b>	CASE NUMBER: <hr/> HEARING DATE AND TIME: DEPT.:

1. **Petitioner (name):**

**requests that**

a. (Name):

(Telephone):

(Address):

**be appointed**  successor  conservator  limited conservator  
of the **PERSON** of the (proposed) conservatee and Letters issue upon qualification.

b. (Name):

(Telephone):

(Address):

**be appointed**  successor  conservator  limited conservator  
of the **ESTATE** of the (proposed) conservatee and Letters issue upon qualification.

c. (1)  bond not be required  because the proposed  successor conservator is a corporate fiduciary  
or an exempt government agency.  for the reasons stated in Attachment 1c.

(2)  bond be fixed at: \$ \_\_\_\_\_ to be furnished by an authorized surety company or as otherwise provided by  
law. (Specify reasons in Attachment 1c if the amount is different from the minimum required by Probate Code  
section 2320.)

(3)  \$ \_\_\_\_\_ in deposits in a blocked account be allowed. Receipts will be filed.  
(Specify institution and location):

d.  orders authorizing independent exercise of powers under Probate Code section 2590 be granted.  
Granting the proposed  successor conservator of the estate powers to be exercised independently under  
Probate Code section 2590 would be to the advantage and benefit and in the best interest of the conservatorship  
estate. (Specify orders, powers, and reasons in Attachment 1d.)

e.  orders relating to the capacity of the (proposed) conservatee under Probate Code section 1873 or 1901 be granted.  
(Specify orders, facts, and reasons in Attachment 1e.)

f.  orders relating to the powers and duties of the proposed  successor conservator of the person under Probate  
Code sections 2351–2358 be granted. (Specify orders, facts, and reasons in Attachment 1f.)

g.  the (proposed) conservatee be adjudged to lack the capacity to give informed consent for medical treatment or healing by  
prayer and that the proposed  successor conservator of the person be granted the powers specified in Probate  
Code section 2355. (Complete item 9 on page 6.)

**Do NOT use this form for a temporary conservatorship.**

Page 1 of 8

CONSERVATORSHIP OF (name):	CASE NUMBER:
(PROPOSED) CONSERVATEE	

1. h.  (for limited conservatorship only) orders relating to the powers and duties of the proposed limited conservator of the person under Probate Code section 2351.5 be granted. (Specify orders, powers, and duties in Attachment 1h and complete item 1j.)  successor \*
- i.  (for limited conservatorship only) orders relating to the powers and duties of the proposed limited conservator of the estate under Probate Code section 1830(b) be granted. (Specify orders, powers, and duties in Attachment 1i and complete item 1j.)  successor \*
- j.  (for limited conservatorship only) orders limiting the civil and legal rights of the (proposed) limited conservatee be granted. (Specify limitations in Attachment 1j.)
- k.  orders related to dementia placement or treatment as specified in the Attachment Requesting Special Orders Regarding Dementia (form GC-313) under Probate Code section 2356.5 be granted. A Capacity Declaration—Conservatorship (form GC-335) and Dementia Attachment to Capacity Declaration—Conservatorship (form GC-335A), executed by a licensed physician or by a licensed psychologist acting within the scope of his or her licensure with at least two years experience diagnosing dementia,  are filed herewith.  will be filed before the hearing.
- (appointment of successor conservator only) will not be filed because an order relating to dementia placement or treatment was filed on (date): . That order has neither expired by its terms nor been revoked.
- l.  other orders be granted. (Specify in Attachment 1l.)
2. (Proposed) conservatee is (name): (Telephone):  
(Present address):
3. a.  **Jurisdictional facts** (initial appointment only) The proposed conservatee has no conservator in California and is a
- (1)  resident of California and
- (a)  a resident of this county.
- (b)  not a resident of this county, but commencement of the conservatorship in this county is in the best interests of the proposed conservatee for the reasons specified in Attachment 3a.
- (2)  nonresident of California but
- (a)  is temporarily living in this county, or
- (b)  has property in this county, or
- (c)  commencement of the conservatorship in this county is in the best interest of the proposed conservatee for the reasons specified in Attachment 3a.
- b. **Petitioner** (answer items (1) and (2) and check all other items that apply)
- (1)  is  is not a creditor or an agent of a creditor of the (proposed) conservatee.
- (2)  is  is not a debtor or an agent of a debtor of the (proposed) conservatee.
- (3)  is the proposed  successor conservator.
- (4)  is the (proposed) conservatee. (If this item is not checked, you must also complete item 3f.)
- (5)  is the spouse of the (proposed) conservatee. (You must also complete item 6.)
- (6)  is the domestic partner or former domestic partner of the (proposed) conservatee. (You must also complete item 7.)
- (7)  is a relative of the (proposed) conservatee as (specify relationship):
- (8)  is an interested person or friend of the (proposed) conservatee.
- (9)  is a state or local public entity, officer, or employee.
- (10)  is the guardian of the proposed conservatee.
- (11)  is a bank  is other entity authorized to conduct the business of a trust company.
- (12)  is a professional fiduciary within the meaning of Business and Professions Code section 6501(f) who is licensed by the Professional Fiduciaries Bureau of the Department of Consumer Affairs. Petitioner's license number is provided in item 1 on page 1 of the attached Professional Fiduciary Attachment. (Use form GC-210(A-PF)/GC-310(A-PF) for this attachment. You must also complete item 2 on page 2 of that form and item 3d below.)

\* See Item 5b on page 4.

CONSERVATORSHIP OF (name):	CASE NUMBER:
(PROPOSED) CONSERVATEE	

3. c. Proposed  successor conservator is (check all that apply)

- (1)  a nominee. (Affix nomination as Attachment 3c(1).)
- (2)  the spouse of the (proposed) conservatee. (You must also complete item 6.)
- (3)  the domestic partner or former domestic partner of the (proposed) conservatee. (You must also complete item 7.)
- (4)  a relative of the (proposed) conservatee as (specify relationship):
- (5)  a bank.  other entity authorized to conduct the business of a trust company.
- (6)  a nonprofit charitable corporation that meets the requirements of Probate Code section 2104.
- (7)  a professional fiduciary, as defined in Business and Professions Code section 6501(f). His or her statement concerning licensure or exemption is provided in item 1 on page 1 of the attached *Professional Fiduciary Attachment*. (Use form GC-210(A-PF)/GC-310(A-PF) for this attachment.)
- (8)  other (specify):

d.  Engagement and prior relationship with petitioning professional fiduciary (complete this item if petitioner is licensed by the Professional Fiduciaries Bureau.)

- (1)  Statements of who engaged petitioner, or how petitioner was engaged to file this petition, and a description of any prior relationship petitioner had with the (proposed) conservatee or his or her family or friends, are provided in item 2 on page 2 of the attached *Professional Fiduciary Attachment*. (Use form GC-210(A-PF)/GC-310(A-PF) for this attachment.)
- (2)  A petition for appointment of a temporary conservator is filed with this petition. That petition contains statements of who engaged petitioner, how petitioner was engaged to file this petition, and a description of any prior relationship petitioner had with the (proposed) conservatee or his or her family and friends.

e. Character and estimated value of the property of the estate (complete items (1) or (2) and (3), (4), and (5)):

- (1)  (For appointment of successor conservator only, if complete Inventory and Appraisal filed by predecessor):  
Personal property: \$ \_\_\_\_\_, per Inventory and Appraisal filed in this proceeding on  
(specify dates of filing of all inventories and appraisals):

(2)  Estimated value of personal property: \$ \_\_\_\_\_

(3) Annual gross income from

- (a) real property: \$ \_\_\_\_\_
- (b) personal property: \$ \_\_\_\_\_
- (c) pensions: \$ \_\_\_\_\_
- (d) wages: \$ \_\_\_\_\_
- (e) public assistance benefits: \$ \_\_\_\_\_
- (f) other: \$ \_\_\_\_\_

(4) Total of (1) or (2) and (3): \$ \_\_\_\_\_

(5) Real property: \$ \_\_\_\_\_

(a)  per Inventory and Appraisal identified in item (1).

(b)  estimated value.

f.  Due diligence (complete this item if the (proposed) conservatee is not a petitioner):

- (1) Efforts to find the (proposed) conservatee's relatives or reasons why it is not feasible to contact any of them are described on Attachment 3f(1).
- (2) Statements of the (proposed) conservatee's preferences concerning the appointment of any (successor) conservator and the appointment of the proposed (successor) conservator or reasons why it is not feasible to ascertain those preferences are contained on Attachment 3f(2).

CONSERVATORSHIP OF (name):  (PROPOSED) CONSERVATEE	CASE NUMBER:
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3. g. So far as known to Petitioner, a conservatorship or equivalent proceeding concerning the proposed conservatee
- has not  has been filed in another jurisdiction concerning the proposed conservatee, including a court of an Indian tribe with jurisdiction (see Prob. Code, § 2031(b)).
- (If you answered "has," identify the jurisdiction and state the date the case was filed):

4. (Proposed) conservatee

- a.  is  is not a patient in or on leave of absence from a state institution under the jurisdiction of the California Department of State Hospitals or the California Department of Developmental Services (specify state institution):
- b.  is receiving or entitled to receive  is neither receiving nor entitled to receive benefits from the U.S. Department of Veterans Affairs (estimate amount of monthly benefit payable):
- c.  is  is not, so far as is known to petitioner, a member of a federally recognized Indian tribe.  
(If you answered "is," complete items (1)–(4):
- (1) Name of tribe:
- (2) Location of tribe (if the tribe is located in more than one state, the state that is the tribe's principal location):
- (3) The proposed conservatee  does  does not reside on tribal land.\*
- (4) So far as known to petitioner, the proposed conservatee  owns  does not own property on tribal land.
5. a.  Proposed conservatee (initial appointment of conservator only)
- (1)  is an adult.
- (2)  will be an adult on the effective date of the order (date):
- (3)  is a married minor.
- (4)  is a minor whose marriage has been dissolved.
- b.  Vacancy in office of conservator (appointment of successor conservator only. A petition for appointment of a limited conservator after the death of a predecessor is a petition for initial appointment. (Prob. Code, § 1860.5(a)(1).)
- There is a vacancy in the office of conservator of the  person  estate for the reasons  specified in Attachment 5b.  specified below.

\* "Tribal land" is land that is, with respect to a specific Indian tribe and the members of that tribe, "Indian country," as defined in 18 U.S.C. § 1151.



CONSERVATORSHIP OF (name):	CASE NUMBER:
(PROPOSED) CONSERVATEE	

5. d.  (Proposed) conservatee voluntarily requests the appointment of a  successor conservator.  
(Specify facts showing good cause in Attachment 5(d).)
- e.  Confidential Supplemental Information (form GC-312) is filed with this petition. (Initial appointment of conservator only.  
All petitioners must file this form except banks and other entities authorized to do business as a trust company.)
- f. (Proposed) conservatee  is  is not developmentally disabled as defined in Probate Code section 1420.  
Petitioner is aware of the requirements of Probate Code section 1827.5. (Specify the nature and degree of the alleged disability  
in Attachment 5f).
6.  Petitioner or proposed  successor conservator is the spouse of the (proposed) conservatee.  
(If this statement is true, you must answer a or b.)
- a.  The (proposed) conservatee's spouse is not a party to any action or proceeding against the (proposed) conservatee for  
legal separation, dissolution of marriage, annulment, or adjudication of nullity of their marriage.
- b.  Although the (proposed) conservatee's spouse is a party to an action or proceeding against the (proposed) conservatee  
for legal separation, dissolution, annulment, or adjudication of nullity of their marriage, or has obtained a judgment in one  
of these proceedings, it is in the best interest of the (proposed) conservatee that:
- (1)  a  successor conservator be appointed.
- (2)  the spouse be appointed as the  successor conservator.  
(If you checked item 6b(1) or (2) or both, specify the facts and reasons in Attachment 6b.)
7.  Petitioner or proposed  successor conservator is the domestic partner or former domestic partner of  
the (proposed) conservatee. (If this statement is true, you must answer a or b.)
- a.  The domestic partner of the (proposed) conservatee has not terminated and does not intend to terminate the domestic  
partnership.
- b.  Although the domestic partner or former domestic partner of the (proposed) conservatee intends to terminate or has  
terminated the domestic partnership, it is in the best interest of the (proposed) conservatee that
- (1)  a  successor conservator be appointed.
- (2)  the domestic partner or former domestic partner be appointed as the  successor conservator.  
(If you checked item 7b(1) or (2) or both, specify the facts and reasons in Attachment 7b.)
8. (Proposed) conservatee (check all that apply)
- a.  will attend the hearing AND  is the petitioner  is not the petitioner AND  has  has not  
nominated the proposed  successor conservator.
- b.  (initial appointment of conservator only) is able but unwilling to attend the hearing AND  does  does not  
wish to contest the establishment of a conservatorship,  does  does not  
object to the proposed conservator, AND  does  does not prefer that another person act as conservator.
- c.  (initial appointment of conservator only): is unable to attend the hearing because of medical inability. A Capacity  
Declaration—Conservatorship (form GC-335), executed by a licensed medical practitioner or an accredited religious  
practitioner  is filed with this petition.  will be filed before the hearing.
- d.  (initial appointment of conservator only) is not the petitioner, is out of state, and will not attend the hearing.
- e.  (appointment of successor conservator only) will not attend the hearing.
9.  Medical treatment of (proposed) conservatee
- a. There is no form of medical treatment for which the (proposed) conservatee has the capacity to give an informed consent.
- b. A Capacity Declaration—Conservatorship (form GC-335) executed by a licensed physician or by a licensed psychologist acting  
within the scope of his or her licensure, stating that the (proposed) conservatee lacks the capacity to give informed consent for  
any form of medical treatment and giving reasons and the factual basis for this conclusion,  
 is filed with this petition.  will be filed before the hearing.  will not be filed for the reason stated in c.
- c.  (appointment of successor conservator only) The conservatee's incapacity to consent to any form of medical treatment  
was determined by order filed in this matter on (date):  
That order has neither expired by its terms nor been revoked.
- d. (Proposed) conservatee  is  is not an adherent of a religion that relies on prayer alone for healing, as defined  
in Probate Code section 2355(b).

CONSERVATORSHIP OF (name):  (PROPOSED) CONSERVATEE	CASE NUMBER:
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10.  Temporary conservatorship

Filed with this petition is a *Petition for Appointment of Temporary Conservator* (form GC-111).

11. (Proposed) conservatee's relatives

The names, residence addresses, and relationships of the spouse or registered domestic partner and the second-degree relatives of the (proposed) conservatee (his or her parents, grandparents, children, grandchildren, and brothers and sisters), so far as known to petitioner, are

a.  listed below.

b.  not known, or no longer living, so the (proposed) conservatee's deemed relatives under Probate Code section 1821(b) (1)-(4) are listed below.

	<u>Name and relationship to conservatee</u>	<u>Residence address</u>
(1)		
(2)		
(3)		
(4)		
(5)		
(6)		
(7)		
(8)		
(9)		
(10)		
(11)		
(12)		
(13)		
(14)		
(15)		
(16)		

Continued on Attachment 11.

CONSERVATORSHIP OF <i>(name):</i>  (PROPOSED) CONSERVATEE	CASE NUMBER:
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12.  **Confidential conservator screening form**  
 Submitted with this petition is a *Confidential Conservator Screening Form* (form GC-314) completed and signed by the proposed  successor conservator. *(Required for all proposed conservators except banks and trust companies.)*

13.  **Court investigator**  
 Filed with this petition is a proposed *Order Appointing Court Investigator* (form GC-330).

14. Number of pages attached:

Date:

\_\_\_\_\_  
 (TYPE OR PRINT NAME OF ATTORNEY FOR PETITIONER)

▶ \_\_\_\_\_  
 (SIGNATURE OF ATTORNEY FOR PETITIONER)

*(All petitioners must also sign (Prob. Code, § 1020; Cal. Rules of Court, rule 7.103).)*

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 PETITIONER)

▶ \_\_\_\_\_  
 (SIGNATURE OF PETITIONER)

\_\_\_\_\_  
 (TYPE OR PRINT NAME OF PETITIONER)

▶ \_\_\_\_\_  
 (SIGNATURE OF PETITIONER)

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CONSERVATORSHIP OF (name):	
ORDER APPOINTING <input type="checkbox"/> SUCCESSOR PROBATE CONSERVATOR OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE <input type="checkbox"/> Limited Conservatorship	CASE NUMBER:
<b>WARNING: THIS APPOINTMENT IS NOT EFFECTIVE UNTIL LETTERS HAVE ISSUED.</b>	

1. The petition for appointment of  successor conservator came on for hearing as follows  
 (check boxes c, d, e, and f or g to indicate personal presence):

a. Judicial officer (name):

b. Hearing date: Time:  Dept.:  Room:

c.  Petitioner (name):

d.  Attorney for petitioner (name):

e.  Attorney for  person cited  the conservatee on petition to appoint successor conservator:  
 (Name): (Telephone):  
 (Address):

f.  Person cited was  present.  unable to attend.  able but unwilling to attend.  out of state.

g.  The conservatee on petition to appoint successor conservator was  present.  not present.

#### THE COURT FINDS

2. All notices required by law have been given.

3. Granting the conservatorship is the least restrictive alternative needed for the protection of the conservatee.

4. (Name):

a.  is unable properly to provide for his or her personal needs for physical health, food, clothing, or shelter.

b.  is substantially unable to manage his or her financial resources or to resist fraud or undue influence.

c.  has voluntarily requested appointment of a conservator and good cause has been shown for the appointment.

5. The conservatee

a.  is an adult.

b.  will be an adult on the effective date of this order.

c.  is a married minor.

d.  is a minor whose marriage has been dissolved.

6.  There is no form of medical treatment for which the conservatee has the capacity to give an informed consent.

The conservatee is an adherent of a religion defined in Probate Code section 2355(b).

7.  Granting the  successor conservator powers to be exercised independently under Probate Code section 2590 is to the advantage and benefit and in the best interest of the conservatorship estate.

8.  The conservatee cannot communicate, with or without reasonable accommodations, a desire to participate in the voting process.

Do NOT use this form for a temporary conservatorship.

Page 1 of 3

CONSERVATORSHIP OF (name):	CASE NUMBER:
CONSERVATEE	

9.  The conservatee has dementia as defined in Probate Code section 2356.5, and the court finds all other facts required to make the orders specified in item 28.
10.  Attorney (name): \_\_\_\_\_ has been appointed by the court as legal counsel to represent the conservatee in these proceedings. The cost for representation is: \$  
The conservatee has the ability to pay  all  none  a portion of this sum (specify): \$
11.  The conservatee need not attend the hearing.
12.  The appointed court investigator is (name): \_\_\_\_\_  
(Address and telephone): \_\_\_\_\_
13.  (For limited conservatorship only) The limited conservatee is developmentally disabled as defined in Probate Code section 1420.
14.  The  successor conservator is a professional fiduciary as defined by Business and Professions Code section 6501(f).
15.  The  successor conservator holds a valid, unexpired, unsuspended license as a professional fiduciary issued by the Professional Fiduciaries Bureau of the California Department of Consumer Affairs under chapter 6 (commencing with section 6500) of division 3 of the Business and Professions Code.  
License no.: \_\_\_\_\_ Issuance or last renewal date: \_\_\_\_\_ Expiration date: \_\_\_\_\_

16. (Either a, b, or c must be checked):
- a.  The  successor conservator is not the spouse of the conservatee.
- b.  The  successor conservator is the spouse of the conservatee and is not a party to an action or proceeding against the conservatee for legal separation, dissolution, annulment, or adjudication of nullity of their marriage.
- c.  The  successor conservator is the spouse of the conservatee and is a party to an action or proceeding against the conservatee for legal separation, dissolution, annulment, or adjudication of nullity of their marriage.  
It is in the best interest of the conservatee to appoint the spouse as  successor conservator.
17. (Either a, b, or c must be checked):
- a.  The  successor conservator is not the domestic partner or former domestic partner of the conservatee.
- b.  The  successor conservator is the domestic partner of the conservatee and has neither terminated nor intends to terminate their domestic partnership.
- c.  The  successor conservator is the domestic partner or former domestic partner of the conservatee and intends to terminate or has terminated their domestic partnership. It is in the best interest of the conservatee to appoint the domestic partner or former domestic partner as  successor conservator.

**THE COURT ORDERS**

18. a. (Name): \_\_\_\_\_ (Telephone): \_\_\_\_\_  
(Address): \_\_\_\_\_
- is appointed  successor  conservator  limited conservator of the PERSON of (name): \_\_\_\_\_  
and Letters of Conservatorship shall issue upon qualification. (Telephone): \_\_\_\_\_
- b. (Name): \_\_\_\_\_  
(Address): \_\_\_\_\_
- is appointed  successor  conservator  limited conservator of the ESTATE of (name): \_\_\_\_\_  
and Letters of Conservatorship shall issue upon qualification.
19.  The conservatee need not attend the hearing.
20. a.  Bond is not required.
- b.  Bond is fixed at: \$ \_\_\_\_\_ to be furnished by an authorized surety company or as otherwise provided by law.
- c.  Deposits of: \$ \_\_\_\_\_ are ordered to be placed in a blocked account at (specify institution and location): \_\_\_\_\_

and receipts shall be filed. No withdrawals shall be made without a court order.

Additional orders in attachment 20c.

CONSERVATORSHIP OF (name):	CASE NUMBER:
	CONSERVATEE

20. (cont.)

d.  The  successor conservator is not authorized to take possession of money or any other property without a specific court order.

21.  For legal services rendered,  conservatee  conservatee's estate shall pay the sum of: \$  
to (name):  
 forthwith  as follows (specify terms, including any combination of payors):

Continued in attachment 21.

22.  The conservatee is disqualified from voting.

23.  The conservatee lacks the capacity to give informed consent for medical treatment and the  successor conservator of the person is granted the powers specified in Probate Code section 2355.

The treatment shall be performed by an accredited practitioner of a religion as defined in Probate Code section 2355(b).

24.  The  successor conservator of the estate is granted authorization under Probate Code section 2590 to exercise independently the powers specified in attachment 24  subject to the conditions provided.

25.  Orders relating to the capacity of the conservatee under Probate Code sections 1873 or 1901 as specified in attachment 25 are granted.

26.  Orders relating to the powers and duties of the  successor conservator of the person under Probate Code sections 2351–2358 as specified in attachment 26 are granted. (Do not include orders under Probate Code section 2356.5 relating to dementia.)

27.  Orders relating to the conditions imposed under Probate Code section 2402 on the  successor conservator of the estate as specified in attachment 27 are granted.

28.  a.  The  successor conservator of the person is granted authority to place the conservatee in a care or nursing facility described in Probate Code section 2356.5(b).

b.  The  successor conservator of the person is granted authority to authorize the administration of medications appropriate for the care and treatment of dementia described in Probate Code section 2356.5(c).

29.  Other orders as specified in attachment 29 are granted.

30.  The probate referee appointed is (name and address):

31.  (For limited conservatorship only) Orders relating to the powers and duties of the  successor limited conservator of the person under Probate Code section 2351.5 as specified in attachment 31 are granted.

32.  (For limited conservatorship only) Orders relating to the powers and duties of the  successor limited conservator of the estate under Probate Code section 1830(b) as specified in attachment 32 are granted.

33.  (For limited conservatorship only) Orders limiting the civil and legal rights of the limited conservatee as specified in attachment 33 are granted.

34.  This order is effective on the  date signed  date minor attains majority (specify):

35. Number of boxes checked in items 18–34:

36. Number of pages attached:

Date:

\_\_\_\_\_  
JUDICIAL OFFICER

SIGNATURE FOLLOWS LAST ATTACHMENT

ATTORNEY OR PARTY WITHOUT ATTORNEY (name, address, and State Bar number):  
After recording return to:

TEL NO.: \_\_\_\_\_ FAX NO. (optional): \_\_\_\_\_  
E-MAIL ADDRESS (optional): \_\_\_\_\_  
ATTORNEY FOR (name): \_\_\_\_\_

SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY  
STREET ADDRESS: 11 Court Street  
MAILING ADDRESS: PO Box 1258  
CITY AND ZIP CODE: Weaverville, CA 96093  
BRANCH NAME: \_\_\_\_\_

FOR RECORDER'S USE ONLY

CONSERVATORSHIP OF (name): \_\_\_\_\_ CASE NUMBER: \_\_\_\_\_  
CONSERVATEE

LETTERS OF CONSERVATORSHIP

Person  Estate  Limited Conservatorship

FOR COURT USE ONLY

1.  (Name): \_\_\_\_\_ is the appointed  
 conservator  limited conservator of the  person  estate  
of (name): \_\_\_\_\_
2.  (For conservatorship that was on December 31, 1980, a guardianship of an adult or of  
the person of a married minor) (Name): \_\_\_\_\_  
was appointed the guardian of the  person  estate by order dated  
(specify): \_\_\_\_\_ and is now the conservator of the  person  
 estate of (name): \_\_\_\_\_

3.  Other powers have been granted or conditions imposed as follows:
- a.  Exclusive authority to give consent for and to require the conservatee to receive medical treatment that the conservator in good faith based on medical advice determines to be necessary even if the conservatee objects, subject to the limitations stated in Probate Code section 2356.
    - (1)  This treatment shall be performed by an accredited practitioner of the religion whose tenets and practices call for reliance on prayer alone for healing of which the conservatee was an adherent prior to the establishment of the conservatorship.
    - (2)  (If court order limits duration) This medical authority terminates on (date): \_\_\_\_\_
  - b.  Authority to place the conservatee in a care or nursing facility described in Probate Code section 2356.5(b).
  - c.  Authority to authorize the administration of medications appropriate for the care and treatment of dementia described in Probate Code section 2356.5(c).
  - d.  Powers to be exercised independently under Probate Code section 2590 are specified in Attachment 3d (specify powers, restrictions, conditions, and limitations).
  - e.  Conditions relating to the care and custody of property under Probate Code section 2402 are specified in Attachment 3e.
  - f.  Conditions relating to the care, treatment, education, and welfare of the conservatee under Probate Code section 2358 are specified in Attachment 3f.
  - g.  (For limited conservatorship only) Powers of the limited conservator of the person under Probate Code section 2351.5 are specified in Attachment 3g.
  - h.  (For limited conservatorship only) Powers of the limited conservator of the estate under Probate Code section 1830(b) are specified in Attachment 3h.
  - i.  Other powers granted or conditions imposed are specified in Attachment 3i.

(SEAL)

4.  The conservator is **not** authorized to take possession of money or any other property without a specific court order.
5. Number of pages attached: \_\_\_\_\_

WITNESS, clerk of the court, with seal of the court affixed.  
Date: \_\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy

This form may be recorded as notice of the establishment of a conservatorship of the estate as provided in Probate Code § 1875.

CONSERVATORSHIP OF (name):	CASE NUMBER:
CONSERVATEE	

**NOTICE TO INSTITUTIONS AND FINANCIAL INSTITUTIONS**  
(Probate Code sections 2890-2893)

When these *Letters of Conservatorship* (Letters) are delivered to you as an employee or other representative of an *institution* or *financial institution* (described below) in order for the conservator of the estate (1) to take possession or control of an asset of the conservatee named above held by your institution (including changing title, withdrawing all or any portion of the asset, or transferring all or any portion of the asset) or (2) to open or change the name of an account or a safe-deposit box in your financial institution to reflect the conservatorship, you must fill out Judicial Council form GC-050 (for an institution) or form GC-051 (for a financial institution). An officer authorized by your institution or financial institution must date and sign the form, and you must file the completed form with the court.

There is no filing fee for filing the form. You may either arrange for personal delivery of the form or mail it to the court for filing at the address given for the court on page 1 of these Letters.

The conservator should deliver a blank copy of the appropriate form to you with these Letters, but it is your institution's or financial institution's responsibility to complete the correct form, have an authorized officer sign it, and file the completed form with the court. If the correct form is not delivered with these Letters or is unavailable for any other reason, blank copies of the forms may be obtained from the court. The forms may also be accessed from the judicial branch's public Web site free of charge. The Internet address (URL) is [www.courts.ca.gov/forms/](http://www.courts.ca.gov/forms/). Select the form group *Probate—Guardianships and Conservatorships* and scroll down to form GC-050 for an institution or form GC-051 for a financial institution. The forms may be printed out as blank forms and filled in by typewriter or may be filled out online and printed out ready for signature and filing.

An *institution* under California Probate Code section 2890(c) is an insurance company, agent, or broker; an investment company; an investment bank; a securities broker-dealer; an investment advisor; a financial planner; a financial advisor, or any other person who takes, holds, or controls an asset subject to a guardianship other than a financial institution. Institutions must file a *Notice of Taking Possession or Control of an Asset of Minor or Conservatee* (form GC-050) for an asset of the conservatee held by the institution. A single form may be filed for all affected assets held by the institution.

A *financial institution* under California Probate Code section 2892(b) is a bank, a trust, a savings and loan association, a savings bank, an industrial bank, or a credit union. Financial institutions must file a *Notice of Opening or Changing a Guardianship or Conservatorship Account or Safe-Deposit Box* (form GC-051) for an account or a safe-deposit box held by the financial institution. A single form may be filed for all affected accounts or safe-deposit boxes held by the financial institution.

**LETTERS OF CONSERVATORSHIP**

**AFFIRMATION**

I solemnly affirm that I will perform according to law the duties of  conservator  limited conservator.

Executed on (date): \_\_\_\_\_, at (place): \_\_\_\_\_

(TYPE OR PRINT NAME)

(SIGNATURE OF APPOINTEE)

**CERTIFICATION**

I certify that this document, including any attachments, is a correct copy of the original on file in my office, and that the Letters issued to the person appointed above have not been revoked, annulled, or set aside, and are still in full force and effect.

(SEAL)	Date: _____
	Clerk, by _____, Deputy

ATTORNEY OR PARTY WITHOUT ATTORNEY: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NO.:	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Trinity STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville CA, 96093 BRANCH NAME:		
CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE of (name): <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> PROPOSED CONSERVATEE		
<b>ORDER APPOINTING COURT INVESTIGATOR</b> <input type="checkbox"/> Conservatorship <input type="checkbox"/> Limited Conservatorship		CASE NUMBER:

To (name):

You are hereby appointed Court Investigator in the matter entitled above.

1.  **Before the appointment of a general conservator YOU ARE DIRECTED TO:**
- a. Conduct the interviews required by Probate Code section 1826(a)(1). Interview the proposed conservatee personally.
  - b. Provide to the proposed conservatee the information required by Probate Code section 1826(a)(2).
  - c. Determine whether it appears that the proposed conservatee is unable to attend the hearing and, if able to attend, whether he or she is willing to attend.
  - d. Make the determinations required by Probate Code sections 1826(a)(4)–(7), and (9)–(10). In making those determinations, review the allegations of the *Petition for Appointment of Probate Conservator* (form GC-310) as to why the appointment of a conservator is required and refer to the *Confidential Supplemental Information* (form GC-312) submitted by the petitioner. Consider the facts shown in the latter form that address each of the categories specified in Probate Code section 1821(a)(1)–(5) and consider, to the extent practicable, whether you believe the proposed conservatee suffers from any of the mental function deficits listed in Probate Code section 811(a) that significantly impairs his or her ability to understand and appreciate the consequences of his or her actions in connection with any of the functions described in Probate Code section 1801(a) (if a conservator of the person is sought) or section 1801(b) (if a conservator of the estate is sought). If you believe the proposed conservatee suffers from one or more mental function deficits listed in Probate Code section 811(a), identify all observations that support your belief.
  - e. A person is presumed competent to vote regardless of his or her conservatorship status. To determine whether this presumption is overcome, you must determine if the proposed conservatee is incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process, and therefore may be disqualified from voting pursuant to Section 2208 of the Elections Code. The proposed conservatee may not be disqualified from voting on the basis that he or she does, or would need to do, any of the following to complete an affidavit of voter registration: (1) signs the affidavit of voter registration with a mark or a cross (Elections Code section 2150(b)); (2) signs the affidavit of voter registration by means of a signature stamp (Elections Code section 354.5); (3) completes the affidavit of voter registration with the assistance of another person (Elections Code section 2150(d)); or (4) completes the affidavit of voter registration with reasonable accommodations.
  - f. Report to the court in writing, at least five days before the hearing, concerning all of the foregoing, including the proposed conservatee's express communications concerning (1) representation by legal counsel; and (2) whether he or she is not willing to attend the hearing, does not wish to contest the establishment of the conservatorship, and does not object to the proposed conservator or prefers that another person act as conservator.
  - g. Mail, at least five days before the date set for hearing, a copy of your report (1) to all persons listed in Probate Code section 1826(a)(12)
    - except** for the persons listed in attachment 1g(1) because the court has determined that mailing to those persons will result in harm to the proposed conservatee;
    - and** (2) to the other persons ordered by the court listed in Attachment 1g(2) (*specify names and addresses in the attachment*).
  - h.  Comply with the other orders specified in Attachment 1h.

CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE of (name):	<input type="checkbox"/> CONSERVATEE <input type="checkbox"/> PROPOSED CONSERVATEE	CASE NUMBER:
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2.  **On the filing of a *Petition for Appointment of Temporary Conservator* YOU ARE DIRECTED TO:**
- To the extent feasible, before the hearing on the petition or, if not feasible, within two court days after the hearing, conduct the interviews required by Probate Code section 2250.6(a)(1) (prehearing) or 2250.6(b)(1) (posthearing). Interview the temporary conservatee or proposed temporary conservatee personally.
  - Provide to the temporary conservatee or proposed temporary conservatee the information required by Probate Code section 2250.6(a)(2) (prehearing) or 2250.6(b)(2) (posthearing).
  - To the extent feasible, make the determinations required by Probate Code section 2250.6(a)(3)–(5) before the hearing on the petition.
  - To the extent feasible, before the hearing on the petition, report to the court in writing concerning all of the matters stated in items 2a–c.
  - If you do not visit the temporary conservatee until after the hearing at which a temporary conservator was appointed and the temporary conservatee objects to the appointment of the temporary conservator or requests an attorney, report this information to the court promptly and in no event more than three court days after the date of your interview with the temporary conservatee.
  - If it appears to you that the temporary conservatorship is inappropriate, immediately, and in no event more than two court days after you make your determination, make a written report of your determination to the court.
3.  **Before the court grants an order under Probate Code section 2253 authorizing the temporary conservator to change the residence of the temporary conservatee**
- YOU ARE DIRECTED TO:
    - Personally interview and inform the temporary conservatee of the contents of the request by the temporary conservator for authority to change the temporary conservatee's residence; of the nature, purpose, and effect of the proceedings; and of the right to oppose the request, attend the hearing, and be represented by legal counsel.
    - Make the determinations required by Probate Code section 2253(b)(3)–(7).
    - At least two days before the hearing on change of residence, report your findings concerning the foregoing in writing to the court, including in your report the temporary conservatee's express communications concerning representation by legal counsel and whether he or she is not willing to attend the hearing and does not wish to contest the petition.
    - Comply with the other orders specified in Attachment 3a(4).
  - Good cause appearing, YOU ARE DIRECTED NOT to conduct the investigation and NOT make the report described in Probate Code section 2253(b).
  - Good cause appearing, YOU ARE DIRECTED as specified on Attachment 3c, INSTEAD of proceeding with the investigation and report described in Probate Code section 2253(b).
4.  **Before the court grants an order relating to medical consent under Probate Code section 1880.**
- The petition for an order determining that there is no form of medical treatment for which the conservatee or proposed conservatee has the capacity to give informed consent alleges that he or she is not willing to attend the hearing, or the court has received an affidavit or certificate attesting to the medical inability of the conservatee or proposed conservatee to attend the hearing.
- YOU ARE DIRECTED TO:
- Personally interview and inform the conservatee or proposed conservatee of the contents of the petition; of the nature, purpose, and effect of the proceedings; and of the right to oppose the petition, attend the hearing, and be represented by legal counsel.
  - Make the determinations required by Probate Code section 1894(c)–(g).
  - At least five days before the hearing on the petition, report your findings concerning the foregoing in writing to the court, including in your report the conservatee's express communications concerning representation by legal counsel and whether the conservatee is not willing to attend the hearing and does not wish to contest the petition.
  - Comply with the other orders specified in Attachment 4d.
5. Number of pages attached:

Date:

JUDICIAL OFFICER

 SIGNATURE FOLLOWS LAST ATTACHMENT

FOR PREPARATION BY THE COURT ONLY

FOR COURT USE ONLY

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Trinity  
 STREET ADDRESS: 11 Court Street  
 MAILING ADDRESS: PO Box 1258  
 CITY AND ZIP CODE: Weaverville CA, 96093  
 BRANCH NAME:

CONSERVATORSHIP OF THE  PERSON  ESTATE  
 of (name): \_\_\_\_\_ CONSERVATEE

**ORDER APPOINTING COURT INVESTIGATOR  
 (Review and Successor Conservator Investigations)\***  
 Conservatorship  Limited Conservatorship

CASE NUMBER:

To (name):

You are hereby appointed Court Investigator in the matter entitled above.

1.  Review investigation

YOU ARE DIRECTED TO:

- a.  Without prior notice to the conservator  
 With prior notice to the conservator because of necessity or to prevent harm to the conservatee visit and personally inform the conservatee that he or she is under a conservatorship and give the name of the conservator to the conservatee.
- b. Make the determinations required by Probate Code section 1851(a)(1)(A)-(C), including whether the conservator is acting in the best interests of the conservatee. This last determination must include an examination of the conservatee's placement; the quality of care, including physical and mental treatment; and the conservatee's finances and must include, to the greatest extent possible, interviews with the conservator, the conservatee's spouse or registered domestic partner and relatives within the first degree, or, if none, the conservatee's relatives within the second degree.
- c. A person is presumed competent to vote regardless of his or her conservatorship status. In determining whether this presumption is overcome, you must determine if the conservatee is now incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process, and therefore may be disqualified from voting pursuant to Section 2208 of the Elections Code; or if previously was found incapable of communicating that desire, continues to be incapable of doing so, with or without accommodations. The conservatee may not be disqualified from voting on the basis that he or she does, or would need to do, any of the following to complete an affidavit of voter registration: (1) signs the affidavit of voter registration with a mark or a cross (Elections Code section 2150(b)); (2) signs the affidavit of voter registration by means of a signature stamp (Elections Code section 354.5); (3) completes the affidavit of voter registration with the assistance of another person (Elections Code section 2150(d)); or (4) completes the affidavit of voter registration with reasonable accommodations.
- d.  The court has made an order or orders under (select all that apply):  
 Probate Code section 1873 (authority of conservatee to enter into transactions)  
 Probate Code section 1880 (conservatee's capacity to give informed consent to medical treatment)  
 Probate Code section 1901 (conservatee's capacity to marry).  
 Determine whether the present condition of the conservatee is such that the terms of the court order or orders identified above should be modified or the order or orders revoked.
- e. To the extent practicable, review the conservator's accounting with the conservatee if he or she has sufficient capacity.
- f. Inform the court immediately if you are unable at any time to locate the conservatee.

\* This form is for ordering review investigations and reports under Probate Code sections 1850 and 1851 or investigations and reports concerning appointment of a successor conservator under Probate Code section 2684 or 2686. The *Order Appointing Court Investigator* (form GC-330) may be used to order initial and other investigations and reports under Probate Code sections 1826, 1894, 2250.6, and 2253. The *Order Setting Biennial Review Investigation and Directing Status Report Before Review* (form GC-332) may be used to order a biennial review investigation and status report under Probate Code section 1850(a)(2). See Cal. Rules of Court, rule 7.1060.

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

1. g.  (If the conservator is authorized to act under Probate Code section 2356.5—dementia treatment or placement) Advise the conservatee specifically that he or she has the right to object to the conservator's powers granted under section 2356.5. Determine whether the conservatee objects to the conservator's powers under section 2356.5, whether the powers granted under section 2356.5 are warranted, and whether some change in those powers is warranted.
- h.  (For limited conservatorship only) Make a recommendation regarding the continuation or termination of the limited conservatorship.
- i.  (For conservatorships existing on December 31, 1980, in which the conservatee has not been adjudged incompetent) Determine whether an order should be made under Probate Code section 1873 broadening the capacity of the conservatee.
- j. Certify in writing to the court your determinations and findings, including a statement of the facts on which the findings are based, not less than 15 days before the date of review under Probate Code section 1850. Do not disclose confidential medical information or confidential criminal history information from the California Law Enforcement Telecommunications System (CLETS) in the body of your report. Place all such information in one or more separate attachments to the report.
- k. At the same time your report is certified to the court, mail copies to the conservator and to the attorneys of record for the conservator and the conservatee.
- l.  Mail copies of your report, modified by deletion of all attachments containing confidential medical information and confidential information from CLETS, to the conservatee's spouse or registered domestic partner and relatives within the first degree or, if there are no such relatives, to the conservatee's next closest relative.
- m.  Mail copies of your report, modified by deletion of all attachments containing confidential medical information and confidential information from CLETS, to the conservatee's spouse or registered domestic partner and relatives within the first degree or, if there are no such relatives, to the conservatee's next closest relative  
 except the person or persons named in Attachment 1m because the court has determined that mailing to that person or persons will result in harm to the conservatee.
- n.  Comply with the other orders specified on Attachment 1n.
2.  **Review investigation on the court's own motion or on request by an interested person**  
YOU ARE DIRECTED,  
 on the court's own motion,  
 at the request of (name): \_\_\_\_\_ an interested person,  
to conduct a review investigation of the conservatorship and make a report to the court as follows (specify):

Continued in Attachment 2.

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

3.  **Successor conservator investigation**

- a.  A petition for appointment of a successor conservator has been filed in this matter. The petition does not allege that the conservatee will be present at the hearing on the petition, which is scheduled as follows:

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Dept.: \_\_\_\_\_

- b.  A petition for appointment of a successor conservator has been filed in this matter. The petition alleges that the conservatee would be present at the hearing on the petition, but the conservatee failed to appear at the hearing. The hearing has been continued to the following date, time, and department:

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Dept.: \_\_\_\_\_

## c. YOU ARE DIRECTED TO:

- (1) Interview the conservatee personally.
- (2) Inform the conservatee of the nature of the proceeding to appoint a successor conservator, the name of the proposed successor conservator, and the conservatee's rights to appear personally at the hearing, to object to the person proposed as successor conservator, to nominate a person to be appointed as successor conservator, to be represented by legal counsel if the conservatee chooses, and to have legal counsel appointed by the court if the conservatee is unable to retain legal counsel.
- (3) Determine whether the conservatee objects to the person proposed as successor conservator or prefers another person to be appointed.
- (4) If the conservatee is not represented by legal counsel, determine whether he or she wishes to be represented by legal counsel and, if so, identify the attorney whom the conservatee wishes to retain or whether he or she desires the court to appoint legal counsel.
- (5) If the conservatee does not plan to retain legal counsel and has not requested appointment of legal counsel by the court, determine whether the appointment of legal counsel would be helpful to resolution of the matter or is necessary to protect the interests of the conservatee.
- (6) Report to the court in writing, at least five days before the hearing or continued hearing, concerning items (2)–(5), including the conservatee's express communications concerning representation by legal counsel and whether the conservatee objects to the person proposed as successor conservator or prefers that some other person be appointed.
- (7) Mail, at least five days before the hearing or continued hearing, a copy of the report identified in item (6) to the attorneys, if any, for the petitioner and the conservatee and to the following additional persons (*specify*):

Continued in Attachment 3.

## 4. Number of pages attached:

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDICIAL OFFICER

SIGNATURE FOLLOWS LAST ATTACHMENT

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address).  TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME: _____	
<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name): _____  <input type="checkbox"/> MINOR <input type="checkbox"/> (PROPOSED) CONSERVATEE	
<b>NOTICE OF HEARING—GUARDIANSHIP OR CONSERVATORSHIP</b>	CASE NUMBER: _____

This notice is required by law.  
This notice does not require you to appear in court, but you may attend the hearing if you wish.

1. NOTICE is given that (name):  
(representative capacity, if any):  
has filed (specify):
  
2. You may refer to documents on file in this proceeding for more information. (Some documents filed with the court are confidential. Under some circumstances you or your attorney may be able to see or receive copies of confidential documents if you file papers in the proceeding or apply to the court.)
  
3.  The petition includes an application for the independent exercise of powers by a guardian or conservator under  
 Probate Code section 2108  Probate Code section 2590.  
 Powers requested are  specified below  specified in Attachment 3.
  
4. A HEARING on the matter will be held as follows:
 

a. Date:	Time:	Dept.:	Room:
		<input type="checkbox"/>	<input type="checkbox"/>

 b. Address of court  same as noted above  is (specify):

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for *Request for Accommodations by Persons with Disabilities and Order* (form MC-410). (Civil Code section 54.8.)







<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP    OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name):  <input type="checkbox"/> MINOR <input type="checkbox"/> (PROPOSED) CONSERVATEE	CASE NUMBER   
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**PROOF OF PERSONAL SERVICE OF NOTICE OF HEARING—GUARDIANSHIP OR CONSERVATORSHIP**

*(Attach a separate completed and signed copy of this form or other proof of personal service to Notice of Hearing—Guardianship or Conservatorship for each person who personally served a copy of the Notice.)*

1. I am over the age of 18 and not a party to this cause.
2. I served the attached *Notice of Hearing—Guardianship or Conservatorship* by personally delivering a copy to each person listed below at the address and on the date and time indicated below.
3.  I served with the attached *Notice of Hearing—Guardianship or Conservatorship* a copy of the petition or other document referred to in the Notice.
4.  I served with the attached *Notice of Hearing—Guardianship or Conservatorship* copies of the following documents (*specify*):

Continued on Attachment 4.

5. I am (*check all that apply*):
  - a.  not a registered California process server.
  - b.  a California sheriff or marshal.
  - c.  a registered California process server.
  - d.  an employee or independent contractor of a registered California process server.
  - e.  exempt from registration (Bus. & Prof. Code, § 22350(b)).

6. My name, address, telephone number, and, if applicable, county of registration and number, are (*specify*):

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**NAME OF EACH PERSON PERSONALLY SERVED, ADDRESS WHERE SERVED, AND DATE AND TIME SERVICE WAS MADE**

	<u>Name</u>	<u>Address where served (number, street, city, and state)</u>	<u>Date and time service made</u>
1.			Date: _____ Time: _____
2.			Date: _____ Time: _____
3.			Date: _____ Time: _____
4.			Date: _____ Time: _____

List of names and addresses of persons personally served by the undersigned continued on an attachment.  
*(You may use Attachment to Notice of Hearing Proof of Personal Service, form DE-120(PA)/GC-020(PA), for this purpose.)*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

*(For California sheriff or marshal use only)*  
 I certify that the foregoing is true and correct

Date:

Date:

\_\_\_\_\_  
 (SIGNATURE)

\_\_\_\_\_  
 (SIGNATURE)

<input type="checkbox"/> ESTATE	<input type="checkbox"/> GUARDIANSHIP	<input type="checkbox"/> CONSERVATORSHIP	<input type="checkbox"/> MATTER OF	CASE NUMBER: _____ _____ _____
(Name): _____ _____ _____				

**ATTACHMENT TO NOTICE OF HEARING PROOF OF PERSONAL SERVICE**

*(This Attachment is for use with forms DE-120(P) and GC-020(P).)*

**NAME OF EACH PERSON PERSONALLY SERVED, ADDRESS WHERE SERVED, AND DATE AND TIME SERVICE WAS MADE**

<u>No.</u>	<u>Name</u>	<u>Address where served (number, street, city, and state)</u>	<u>Date and time service made</u>
—			Date: _____ Time: _____
—			Date: _____ Time: _____
—			Date: _____ Time: _____
—			Date: _____ Time: _____
—			Date: _____ Time: _____
—			Date: _____ Time: _____
—			Date: _____ Time: _____
—			Date: _____ Time: _____
—			Date: _____ Time: _____
—			Date: _____ Time: _____
—			Date: _____ Time: _____

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):  TELEPHONE AND FAX NOS:	FOR COURT USE ONLY
ATTORNEY FOR (Name): <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY</b> STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:	
<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP    OF (Name):  <div style="text-align: right;"><input type="checkbox"/> MINOR    <input type="checkbox"/> CONSERVATEE</div>	
<b>ORDER DISPENSING WITH NOTICE</b>	CASE NUMBER:

1. **THE COURT FINDS** that a petition for (specify):  
has been filed and

a.  (for guardianship only) the following persons cannot with reasonable diligence be given notice (names):

b.  (for guardianship only) the giving of notice to the following persons is contrary to the interest of justice (names):

c.  good cause exists for dispensing with notice to the following persons referred to in Probate Code section 1460(b) (names):

d.  other (specify):

2. **THE COURT ORDERS** that notice of hearing on the petition for (specify):

a.  is not required except to persons requesting special notice under Probate Code section 2700.

b.  is dispensed with to the following persons (names):

Date:

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address)	TELEPHONE AND FAX NOS..	FOR COURT USE ONLY
ATTORNEY FOR (Name):		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY</b> STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:		
<input type="checkbox"/> ESTATE OF <input type="checkbox"/> GUARDIANSHIP OF <input type="checkbox"/> CONSERVATORSHIP OF (Name):		
<input type="checkbox"/> DECEDENT <input type="checkbox"/> MINOR <input type="checkbox"/> CONSERVATEE		CASE NUMBER:
<b>ORDER PRESCRIBING NOTICE (PROBATE)</b>		

**THE COURT ORDERS**

1. The time and place of hearing\* on the petition for
  - a.  compensation on account (Prob. Code, §§ 8547(d), 10830)
  - b.  authority to continue decedent's business (Prob. Code, §§ 9760-9763)
  - c.  order vacating order confirming sale (Prob. Code, §§ 10350, 10351)
  - d.  court authorization for medical treatment (Prob. Code, §§ 2357(c), 3201)
  - e.  appointment of a limited conservator (Prob. Code, § 1822)
  - f.  other (specify):

(hearing) is set for

Date:	Time:	Dept.:	Room:
-------	-------	--------	-------

Address of court:  same as noted above     other (specify):

2. Petitioner shall cause notice of the hearing to be
  - a.  served at least (specify): \_\_\_\_\_ days before hearing personally upon (name):
  - b.  mailed at least (specify): \_\_\_\_\_ days before hearing, in the manner prescribed by Probate Code section 1215 to the persons  listed below     listed on Attachment 2b.
 

<u>Name</u>	<u>Address</u>
-------------	----------------
  - c.  (for limited conservatorship only) mailed to the regional center identified in Probate Code section 1827.5.

Date:

JUDGE OF THE SUPERIOR COURT

\* This form is not sufficient as Notice of Hearing.

SIGNATURE FOLLOWS LAST ATTACHMENT

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address).  TELEPHONE AND FAX NOS.:	FOR COURT USE ONLY
ATTORNEY FOR (Name): <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY</b> STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:	
MATTER OF (Name):  <input type="checkbox"/> DECEDENT <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR <input type="checkbox"/> TRUST	
<b>REQUEST FOR SPECIAL NOTICE</b>	CASE NUMBER:

1. a.  I am a person interested in this proceeding.  
 b.  I am the attorney for a person interested in this proceeding (specify name of interested person):

2. I REQUEST SPECIAL NOTICE of (complete only a or b)

- a.  the following matters (check applicable boxes):
- (1)  all matters for which special notice may be requested (Do not check boxes (2)-(8).)
  - (2)  inventories and appraisals of property, including supplements
  - (3)  accountings
  - (4)  reports of the status of administration
  - (5)  objections to an appraisal
  - (6)  petitions for the sale of property
  - (7)  Spousal Property Petition (form DE-221) (Prob. Code, § 13650)
  - (8)  other petitions:     all petitions     the following petitions (specify):

- b.  the following matters (specify):

3. SEND THE NOTICES to

- a.  the interested person at the following address (specify):

- b.  the attorney at the following address (specify):

Date:

..... (TYPE OR PRINT NAME)

▶ (SIGNATURE)

Attorney for person requesting special notice (client's name):

(Continued on reverse)





CONFIDENTIAL

GC-314

CONSERVATORSHIP OF (Name):	CASE NUMBER:
PROPOSED CONSERVATEE	

- 7.  I have  I have not filed for bankruptcy protection within the last 10 years. (If you checked "I have," explain in Attachment 7.)
- 8.  I have  I have not been convicted of a felony or had a felony expunged from my record. (If you checked "I have," explain in Attachment 8.)
- 9.  I have  I have not been charged with, arrested for, or convicted of embezzlement, theft, or any other crime involving the taking of property. (If you checked "I have," explain in Attachment 9.)
- 10.  I have  I have not been charged with, arrested for, or convicted of a crime involving fraud, conspiracy, or misrepresentation of information. (If you checked "I have," explain in Attachment 10.)
- 11.  I have  I have not been charged with, arrested for, or convicted of any form of elder abuse or neglect. (If you checked "I have," explain in Attachment 11.)
- 12.  I have  I have not had a restraining order or protective order filed against me in the last 10 years. (If you checked "I have," explain in Attachment 12.)
- 13.  I am  I am not required to register as a sex offender under California Penal Code section 290. (If you checked "I am," explain in Attachment 13.)
- 14.  I have  I have not previously been appointed conservator, executor, or fiduciary in another proceeding. (If you checked "I have," explain in Attachment 14.)
- 15.  I have  I have not been removed or resigned as a conservator, guardian, executor, or fiduciary in any other case. (If you checked "I have," explain in Attachment 15.)
- 16.  I have or may have  I do not have an adverse interest that the court may consider to be a risk to, or to have an effect on, my ability to faithfully perform the duties of conservator. (If you checked "I have or may have," explain in Attachment 16.)

- 17.  I am  I am not a private professional fiduciary, as defined in Business and Professions Code section 6501(f). (If you checked "I am," respond to item 18. If you checked "I am not," go to item 19.)
- 18.  I am  I am not currently licensed by the Professional Fiduciaries Bureau of the Department of Consumer Affairs. My license status and information is stated in item 1 on page 1 of the Professional Fiduciary Attachment signed by me and attached to the petition that proposes my appointment as conservator in this matter. (Complete and sign the Professional Fiduciary Attachment and attach it to the petition, or deliver it to the petitioner for attachment, before the petition is filed. See item 3c(7) of the petition. Use form GC-210(A-PF)/GC-310(A-PF) for this attachment.)
- 19.  I am  I am not a responsible corporate officer authorized to act for (name of corporation):

a California nonprofit charitable corporation that meets the requirements for appointment as conservator of the proposed conservatee under Probate Code section 2104. I certify that the corporation's articles of incorporation specifically authorize it to accept appointments as conservator. (If you checked "I am," explain the circumstances of the corporation's care of, counseling of, or financial assistance to the proposed conservatee in Attachment 19.)

- 20. Do you, or does any other person living in your home, have a social worker or parole or probation officer assigned to him or her?
  - Yes  No (If you checked "Yes," explain in Attachment 20 and provide the name, address, and telephone number of each social worker, parole officer, or probation officer.)

DECLARATION

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 PROPOSED CONSERVATOR)

\_\_\_\_\_  
(SIGNATURE OF PROPOSED CONSERVATOR)

\*Each proposed conservator must fill out and file a separate screening form.

**CONFIDENTIAL (DO NOT ATTACH TO PETITION)**

GC-312

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, state bar number, and address)</i>  TELEPHONE NO.: _____ FAX NO. <i>(Optional)</i> : _____ E-MAIL ADDRESS <i>(Optional)</i> : _____ ATTORNEY FOR <i>(Name)</i> : _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME: _____	CASE NUMBER: _____  HEARING DATE: _____  DEPT.: _____ TIME: _____
CONSERVATORSHIP OF <i>(Name)</i> : _____ PROPOSED CONSERVATEE	
<p align="center"><b>CONFIDENTIAL SUPPLEMENTAL INFORMATION</b> (Probate Conservatorship)</p> Conservatorship of <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Limited Conservatorship	

1. a. Proposed conservatee *(name)*: \_\_\_\_\_
- b. Date of birth: \_\_\_\_\_
- c. Social security No.: \_\_\_\_\_

2.  UNABLE TO PROVIDE FOR PERSONAL NEEDS\* The following facts support petitioner's allegation that the proposed conservatee is unable to provide properly for his or her needs for physical health, food, clothing, and shelter *(specify in detail, enlarging upon the reasons stated in the petition; provide specific examples from the proposed conservatee's daily life showing significant behavior patterns)*:  Specified in Attachment 2.

\* If this item is not applicable, complete item 8.

(Continued on reverse)

**CONFIDENTIAL**

CONSERVATORSHIP OF <i>(Name)</i> :	CASE NUMBER
PROPOSED CONSERVATEE	

3.  **UNABLE TO MANAGE FINANCIAL RESOURCES\*** The following facts support petitioner's allegation that the proposed conservatee is substantially unable to manage his or her financial resources or to resist fraud or undue influence (*specify in detail, enlarging upon the reasons stated in the petition; provide specific examples from the proposed conservatee's daily life showing significant behavior patterns*):  Specified in Attachment 3.

4. **RESIDENCE** (*"Residence" means the place usually described as "home"; for example, owned real property or long-term rental.*)

a. The proposed conservatee is located at (*street address, city, state*):

b. The proposed conservatee's residence is\*  the address in item 4a  other (*street address, city, state*):

c. **Ability to live in residence\*** The proposed conservatee is

(1)  living in his or her residence and

(a)  will continue to live there unless circumstances change.

(b)  will need to be moved after a conservator is appointed (*specify supporting facts below in item 4c(3)*).

(c)  other (*specify and give supporting facts below in item 4c(3)*).

\* If this item is not applicable, complete item 8.

(Continued on page three)

**CONFIDENTIAL**

CONSERVATORSHIP OF (Name):  PROPOSED CONSERVATEE	CASE NUMBER:  
--	----------------------

4. c. (continued)

- (2)  not living in his or her residence and
- (a)  will return by (date): \_\_\_\_\_ (specify supporting facts below in item 4c(3)).
  - (b)  will not return to live there (specify supporting facts below in item 4c(3)).
  - (c)  other (specify and give supporting facts below in item 4c(3)).
- (3)  Supporting facts (specify if required):  Specified in Attachment 4c.

5. ALTERNATIVES TO CONSERVATORSHIP\* Petitioner has considered the following alternatives to conservatorship and found them to be unsuitable or unavailable to the proposed conservatee (specify the alternatives considered and the reason or reasons each is unsuitable or unavailable):  Reasons specified in Attachment 5.

- a. Voluntary acceptance of informal or formal assistance (give reason this is unsuitable or unavailable):
  
  
  
- b. Special or limited power of attorney (give reason this is unsuitable or unavailable):
  
  
  
- c. General power of attorney (give reason this is unsuitable or unavailable):

d. Durable power of attorney for  health care  estate management (give reason this is unsuitable or unavailable):

e. Trust (give reason this is unsuitable or unavailable):

f. Other alternatives considered (specify and give reason each is unsuitable or unavailable):

6. SERVICES PROVIDED\* (complete a or b, or both a and b)

a.  During the year before this petition was filed,

(1) **health services**  were provided  were not provided to the proposed conservatee (explain):  
 Explained in Attachment 6a(1).

(2) **social services**  were provided  were not provided to the proposed conservatee (explain):  
 Explained in Attachment 6a(2).

\* If this item is not applicable, complete item 8.

(Continued on page four)

**CONFIDENTIAL**

CONSERVATORSHIP OF (Name): _____	CASE NUMBER: _____
PROPOSED CONSERVATEE	

6. a. (continued)

- (3) estate management assistance  was provided  was not provided to the proposed conservatee (explain):  
 Explained in Attachment 6a(3).

b.  Petitioner has no knowledge of what  social services  health services  estate management assistance was provided to the proposed conservatee during the year before this petition was filed. Petitioner has no reasonable means of determining what services were provided.

7. SUPPORTING FACTS (AFFIDAVITS) The information provided above is stated

- a. Item 1:  on petitioner's own knowledge  in an affidavit (declaration) by another person attached as Attachment 1a.  
b. Item 2:  on petitioner's own knowledge  in an affidavit (declaration) by another person attached as Attachment 2a.  
c. Item 3:  on petitioner's own knowledge  in an affidavit (declaration) by another person attached as Attachment 3a.  
d. Item 4:  on petitioner's own knowledge  in an affidavit (declaration) by another person attached as Attachment 4a.  
e. Item 5:  on petitioner's own knowledge  in an affidavit (declaration) by another person attached as Attachment 5a.  
f. Item 6:  on petitioner's own knowledge  in an affidavit (declaration) by another person attached as Attachment 6a.

8. ITEMS NOT APPLICABLE The following items on this form were not applicable to the proposed conservatee:  
 2  3  4b  4c  5  6 (specify reasons each item is not applicable):  
 Reasons specified in Attachment 8.

9. Number of pages attached: \_\_\_\_\_

**DECLARATION**

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)

▶

\_\_\_\_\_  
(SIGNATURE OF PETITIONER)

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address)</i>  TELEPHONE NO.: _____ FAX NO. <i>(Optional)</i> _____ E-MAIL ADDRESS <i>(Optional)</i> : _____ ATTORNEY FOR <i>(Name)</i> : _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY  STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093  BRANCH NAME: _____	
CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF <i>(Name)</i> : _____  <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> PROPOSED CONSERVATEE	
<b>CAPACITY DECLARATION—CONSERVATORSHIP</b>	CASE NUMBER _____
<p style="text-align: center;"><b>TO PHYSICIAN, PSYCHOLOGIST, OR RELIGIOUS HEALING PRACTITIONER</b></p> <p>The purpose of this form is to enable the court to determine whether the (proposed) conservatee <i>(check all that apply)</i>:</p> <p>A. <input type="checkbox"/> is able to attend a court hearing to determine whether a conservator should be appointed to care for him or her. The court hearing is set for <i>(date)</i>: _____ . <i>(Complete Item 5, sign, and file page 1 of this form.)</i></p> <p>B. <input type="checkbox"/> has the capacity to give informed consent to medical treatment. <i>(Complete Items 6 through 8, sign page 3, and file pages 1 through 3 of this form.)</i></p> <p>C. <input type="checkbox"/> has dementia and, if so, (1) whether he or she needs to be placed in a secured-perimeter residential care facility for the elderly, and (2) whether he or she needs or would benefit from dementia medications. <i>(Complete Items 6 and 8 of this form and form GC-335A; sign and attach form GC-335A. File pages 1 through 3 of this form and form GC-335A.)</i></p> <p><i>(If more than one item is checked above, sign the last applicable page of this form or form GC-335A if item C is checked. File page 1 through the last applicable page of this form; also file form GC-335A if item C is checked.)</i></p> <p><b>COMPLETE ITEMS 1-4 OF THIS FORM IN ALL CASES.</b></p>	

**GENERAL INFORMATION**

1. *(Name)*: \_\_\_\_\_
2. *(Office address and telephone number)*: \_\_\_\_\_
3. I am
  - a.  a California licensed  physician  psychologist acting within the scope of my licensure  with at least two years' experience in diagnosing dementia.
  - b.  an accredited practitioner of a religion whose tenets and practices call for reliance on prayer alone for healing, which religion is adhered to by the (proposed) conservatee. The (proposed) conservatee is under my treatment. *(Religious practitioner may make the determination under item 5 ONLY.)*
4. (Proposed) conservatee *(name)*: \_\_\_\_\_
  - a. I last saw the (proposed) conservatee on *(date)*: \_\_\_\_\_
  - b. The (proposed) conservatee  is  is NOT a patient under my continuing treatment.

**ABILITY TO ATTEND COURT HEARING**

5. A court hearing on the petition for appointment of a conservator is set for the date indicated in item A above. *(Complete a or b.)*
  - a.  The proposed conservatee is able to attend the court hearing.
  - b.  Because of medical inability, the proposed conservatee is NOT able to attend the court hearing *(check all items below that apply)*
    - (1)  on the date set *(see date in box in item A above)*.
    - (2)  for the foreseeable future.
    - (3)  until *(date)*: \_\_\_\_\_
    - (4) Supporting facts *(State facts in the space below or check this box  and state the facts in Attachment 5)*:

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) (SIGNATURE OF DECLARANT)

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

**6. EVALUATION OF (PROPOSED) CONSERVATEE'S MENTAL FUNCTIONS**

**Note to practitioner:** This form is *not* a rating scale. It is intended to assist you in recording your *impressions* of the (proposed) conservatee's mental abilities. Where appropriate, you may refer to scores on standardized rating instruments.

**(Instructions for items 6A-6C):** Check the appropriate designation as follows: *a* = no apparent impairment; *b* = moderate impairment; *c* = major impairment; *d* = so impaired as to be incapable of being assessed; *e* = I have no opinion.)

**A. Alertness and attention**

(1) Levels of arousal (lethargic, responds only to vigorous and persistent stimulation, stupor)

a  b  c  d  e

(2) Orientation (types of orientation impaired)

a  b  c  d  e  Person

a  b  c  d  e  Time (day, date, month, season, year)

a  b  c  d  e  Place (address, town, state)

a  b  c  d  e  Situation ("Why am I here?")

(3) Ability to attend and concentrate (give detailed answers from memory, mental ability required to thread a needle)

a  b  c  d  e

**B. Information processing. Ability to:**

(1) Remember (ability to remember a question before answering; to recall names, relatives, past presidents, and events of the past 24 hours)

i. Short-term memory a  b  c  d  e

ii. Long-term memory a  b  c  d  e

iii. Immediate recall a  b  c  d  e

(2) Understand and communicate either verbally or otherwise (deficits reflected by inability to comprehend questions, follow instructions, use words correctly, or name objects; use of nonsense words)

a  b  c  d  e

(3) Recognize familiar objects and persons (deficits reflected by inability to recognize familiar faces, objects, etc.)

a  b  c  d  e

(4) Understand and appreciate quantities (deficits reflected by inability to perform simple calculations)

a  b  c  d  e

(5) Reason using abstract concepts. (deficits reflected by inability to grasp abstract aspects of his or her situation or to interpret idiomatic expressions or proverbs)

a  b  c  d  e

(6) Plan, organize, and carry out actions (assuming physical ability) in one's own rational self-interest (deficits reflected by inability to break complex tasks down into simple steps and carry them out)

a  b  c  d  e

(7) Reason logically.

a  b  c  d  e

**C. Thought disorders**

(1) Severely disorganized thinking (rambling thoughts; nonsensical, incoherent, or nonlinear thinking)

a  b  c  d  e

(2) Hallucinations (auditory, visual, olfactory)

a  b  c  d  e

(3) Delusions (demonstrably false belief maintained without or against reason or evidence)

a  b  c  d  e

(4) Uncontrollable or intrusive thoughts (unwanted compulsive thoughts, compulsive behavior).

a  b  c  d  e

(Continued on next page)

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

6. (continued)

D. Ability to modulate mood and affect. The (proposed) conservatee  has  does NOT have a pervasive and persistent or recurrent emotional state that appears inappropriate in degree to his or her circumstances. (If so, complete remainder of item 6D.)  I have no opinion.

(Instructions for item 6D: Check the degree of impairment of each inappropriate mood state (if any) as follows: a = mildly inappropriate; b = moderately inappropriate; c = severely inappropriate.)

Anger	a <input type="checkbox"/>	b <input type="checkbox"/>	c <input type="checkbox"/>	Euphoria	a <input type="checkbox"/>	b <input type="checkbox"/>	c <input type="checkbox"/>	Helplessness	a <input type="checkbox"/>	b <input type="checkbox"/>	c <input type="checkbox"/>
Anxiety	a <input type="checkbox"/>	b <input type="checkbox"/>	c <input type="checkbox"/>	Depression	a <input type="checkbox"/>	b <input type="checkbox"/>	c <input type="checkbox"/>	Apathy	a <input type="checkbox"/>	b <input type="checkbox"/>	c <input type="checkbox"/>
Fear	a <input type="checkbox"/>	b <input type="checkbox"/>	c <input type="checkbox"/>	Hopelessness	a <input type="checkbox"/>	b <input type="checkbox"/>	c <input type="checkbox"/>	Indifference	a <input type="checkbox"/>	b <input type="checkbox"/>	c <input type="checkbox"/>
Panic	a <input type="checkbox"/>	b <input type="checkbox"/>	c <input type="checkbox"/>	Despair	a <input type="checkbox"/>	b <input type="checkbox"/>	c <input type="checkbox"/>				

E. The (proposed) conservatee's periods of impairment from the deficits indicated in items 6A-6D

- (1)  do NOT vary substantially in frequency, severity, or duration.  
 (2)  do vary substantially in frequency, severity, or duration (explain; continue on Attachment 6E if necessary):

F.  (Optional) Other information regarding my evaluation of the (proposed) conservatee's mental function (e.g., diagnosis, symptomatology, and other impressions) is  stated below  stated in Attachment 6F.

**ABILITY TO CONSENT TO MEDICAL TREATMENT**

7. Based on the information above, it is my opinion that the (proposed) conservatee
- a.  has the capacity to give informed consent to any form of medical treatment. This opinion is limited to medical consent capacity.
- b.  lacks the capacity to give informed consent to any form of medical treatment because he or she is *either* (1) unable to respond knowingly and intelligently regarding medical treatment *or* (2) unable to participate in a treatment decision by means of a rational thought process, *or both*. The deficits in the mental functions described in item 6 above significantly impair the (proposed) conservatee's ability to understand and appreciate the consequences of medical decisions. This opinion is limited to medical consent capacity.

(Declarant must initial here if item 7b applies: \_\_\_\_\_)

8. Number of pages attached: \_\_\_\_\_

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)

\_\_\_\_\_  
 (SIGNATURE OF DECLARANT)

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

**ATTACHMENT TO FORM GC-335, CAPACITY DECLARATION—CONSERVATORSHIP,  
ONLY FOR (PROPOSED) CONSERVATEE WITH DEMENTIA**

9. It is my opinion that the (proposed) conservatee  HAS  does NOT have dementia as defined in the current edition of *Diagnostic and Statistical Manual of Mental Disorders*.
- a.  Placement of (proposed) conservatee. (If the (proposed) conservatee requires placement in a secured-perimeter residential care facility for the elderly, please complete items 9a(1)–9a(5).)
- (1) The (proposed) conservatee needs or would benefit from placement in a restricted and secure facility because (state reasons; continue on Attachment 9a(1) if necessary):
  
  - (2) The (proposed) conservatee's mental function deficits, based on my assessment in item 6 of form GC-335, include (describe; continue on Attachment 9a(2) if necessary):
  
  - (3)  The (proposed) conservatee HAS capacity to give informed consent to this placement.
  - (4)  The (proposed) conservatee does NOT have capacity to give informed consent to this placement. The deficits in mental function assessed in item 6 of form GC-335 and described in item 9a(2) above significantly impair the (proposed) conservatee's ability to understand and appreciate the consequences of his or her actions with regard to giving informed consent to placement in a restricted and secure environment.
  - (5) A locked or secured-perimeter facility  is  is NOT the least restrictive environment appropriate to the needs of the (proposed) conservatee.
- b.  Administration of dementia medications. (If the (proposed) conservatee requires administration of psychotropic medications appropriate to the care of dementia, please complete items 9b(1)–9b(5).)
- (1) The (proposed) conservatee needs or would benefit from the following psychotropic medications appropriate to the care of dementia, for the reasons stated in item 9b(5) (list medications; continue on Attachment 9b(1) if necessary):
  
  - (2) The (proposed) conservatee's mental function deficits, based on my assessment in item 6 of form GC-335, include (describe; continue on Attachment 9b(2) if necessary):
  
  - (3)  The (proposed) conservatee HAS capacity to give informed consent to the administration of psychotropic medications appropriate to the care of dementia.
  - (4)  The (proposed) conservatee does NOT have the capacity to give informed consent to the administration of psychotropic medications appropriate to the care of dementia. The deficits in mental function assessed in item 6 of form GC-335 and described in item 9b(2) above significantly impair the (proposed) conservatee's ability to understand and appreciate his or her actions with regard to giving informed consent to the administration of psychotropic medications for the treatment of dementia.
  - (5) The (proposed) conservatee needs or would benefit from the administration of the psychotropic medications listed in item 9b(1) because (state reasons; continue on Attachment 9b(5) if necessary):

10. Number of pages attached: \_\_\_\_\_

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)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> Trinity STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville CA, 96093 BRANCH NAME:	
CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE of (name): PROPOSED CONSERVATEE	
<b>CITATION FOR CONSERVATORSHIP</b> <input type="checkbox"/> Limited Conservatorship	CASE NUMBER:

THE PEOPLE OF THE STATE OF CALIFORNIA,

To (name):

**1. You are hereby cited and required to appear at a hearing in this court on**

a. Date:	Time:	<input type="checkbox"/> Dept.:	<input type="checkbox"/> Room:
b. Address of court: <input type="checkbox"/> same as noted above <input type="checkbox"/> other (specify):			

and to give any legal reason why, according to the verified petition filed with this court, you should not be found to be  
 unable to provide for your personal needs  unable to manage your financial resources and by reason thereof,  
 why the following person should not be appointed  conservator  limited conservator of your  person  
 estate (name):

2. A conservatorship of the person may be created for a person who is unable properly to provide for his or her personal needs for physical health, food, clothing, or shelter. A conservatorship of the property (estate) may be created for a person who is unable to resist fraud or undue influence, or who is substantially unable to manage his or her own financial resources. "Substantial inability" may not be proved solely by isolated incidents of negligence or improvidence.
3. At the hearing a conservator may be appointed for your  person  estate.  
 The appointment may affect or transfer to the conservator your right to contract, to manage and control your property, to give informed consent for medical treatment, to fix your place of residence, and to marry.
4. You may be disqualified from voting if you are found to be incapable of communicating, with or without reasonable accommodations, a desire to participate in the voting process. You will not be disqualified from voting on the basis that you do, or would need to do, any of the following to complete an affidavit of voter registration:
  - a. Sign the affidavit of voter registration with a mark or a cross, pursuant to Section 2150(b) of the Elections Code;
  - b. Sign the affidavit of voter registration by means of a signature stamp pursuant to Section 354.5 of the Elections Code;
  - c. Complete the affidavit of voter registration with the assistance of another person pursuant to Section 2150(d) of the Elections Code; or
  - d. Complete the affidavit of voter registration with reasonable accommodations.
5. The judge or the court investigator will explain to you the nature, purpose, and effect of the proceedings and answer questions concerning the explanation.

**CONTINUED ON PAGE 2. THE CLERK'S SEAL IS ALSO ON THAT PAGE.**

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

6. You have the right to appear at the hearing and oppose the petition. You have the right to hire an attorney of your choice to represent you. The court will appoint an attorney to represent you if you are unable to retain one. You must pay the cost of that attorney if you are able. You have the right to a jury trial if you wish.
7. (For limited conservatorship only) In addition to the rights stated in item 6 above, you have the right to oppose the petition in part by objecting to any or all of the requested duties or powers of the limited conservator.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

(SEAL)

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code section 54.8.)



CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE of (name): _____ PROPOSED CONSERVATEE	CASE NUMBER: _____
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### PROOF OF SERVICE

1. At the time of service I was at least 18 years of age and not a party to this proceeding. I served copies of the *Citation for Conservatorship* and the *Petition for Appointment of Probate Conservator* (form GC-310) as follows:
  
2. a. Person cited (name): \_\_\_\_\_
- b. Person served: (1)  person in item 2a  
 (2)  other (specify name and title or relationship to the person named in item 2a): \_\_\_\_\_
  
- c. Address (specify): \_\_\_\_\_
  
3. I served the person named in item 2
  - a.  by personally delivering the copies (1) on (date): \_\_\_\_\_ (2) at (time): \_\_\_\_\_
  - b.  by mailing the copies to the person served, addressed as shown in item 2c, by first-class mail, postage prepaid,
    - (1) on (date): \_\_\_\_\_ (2) from (city): \_\_\_\_\_
    - (3)  with two copies of the *Notice and Acknowledgment of Receipt—Civil* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt—Civil* (form POS-015).)
    - (4)  to an address outside California with return receipt requested. (Attach completed return receipt.)
  - c.  other (specify other manner of service, and the authorizing code section and order of the court): \_\_\_\_\_
  
4. a. Person serving (name, address, and telephone number): \_\_\_\_\_
  
- b.  Fee for service: \$ \_\_\_\_\_
- c.  Not a registered California process server.
- d.  Exempt from registration under Business and Professions Code section 22350(b).
- e.  Registered California process server.
  - (1)  Employee or independent contractor.
  - (2) Registration no. (specify): \_\_\_\_\_
  - (3) County (specify): \_\_\_\_\_
  - (4) Expiration (date): \_\_\_\_\_
  
5.  I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
6.  I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: \_\_\_\_\_


 \_\_\_\_\_  
 (SIGNATURE OF PERSON SERVING)

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

### PROOF OF SERVICE

1. At the time of service I was at least 18 years of age and not a party to this proceeding. I served copies of the *Citation for Conservatorship* and the *Petition for Appointment of Probate Conservator* (form GC-310) as follows:
2. a. Person cited (name):
- b. Person served: (1)  person in item 2a  
(2)  other (specify name and title or relationship to the person named in item 2a):
- c. Address (specify):
3. I served the person named in item 2
  - a.  by personally delivering the copies (1) on (date): (2) at (time):
  - b.  by mailing the copies to the person served, addressed as shown in item 2c, by first-class mail, postage prepaid,
    - (1) on (date): (2) from (city):
    - (3)  with two copies of the *Notice and Acknowledgment of Receipt—Civil* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt—Civil* (form POS-015).)
    - (4)  to an address outside California with return receipt requested. (Attach completed return receipt.)
  - c.  other (specify other manner of service, and the authorizing code section and order of the court):
4. a. Person serving (name, address, and telephone number):
- b.  Fee for service: \$
- c.  Not a registered California process server.
- d.  Exempt from registration under Business and Professions Code section 22350(b).
- e.  Registered California process server.
  - (1)  Employee or independent contractor.
  - (2) Registration no. (specify):
  - (3) County (specify):
  - (4) Expiration (date):
5.  I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
6.  I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date:



(SIGNATURE OF PERSON SERVING)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address)	TELEPHONE AND FAX NOS.:	FOR COURT USE ONLY
ATTORNEY FOR (Name): <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY</b> STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:		
CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name): <div style="text-align: right;">CONSERVATEE</div>		CASE NUMBER:
<b>PETITION FOR EXCLUSIVE AUTHORITY TO GIVE          CONSENT FOR MEDICAL TREATMENT</b>		

1. **Petitioner (name):** \_\_\_\_\_ **requests that**
- the conservatee be adjudged to lack the capacity to give informed consent for medical treatment or healing by prayer.
  - the conservator of the person be granted the exclusive authority to give consent for medical treatment or healing by prayer that the conservator in good faith based on medical advice determines to be necessary.
  - the treatment be performed by  a licensed medical practitioner  a licensed psychologist within the scope of his or her licensure  an accredited practitioner of a religion that relies on prayer alone for healing.
  - orders related to dementia treatment or placement as specified in the *Attachment Requesting Special Orders Regarding Dementia* be granted. (Attach form GC-313.)
- 
- e.  the order dated (specify): \_\_\_\_\_ made under Probate Code section 1880  
 be revoked  be modified as specified in Attachment 1e  be modified as follows (specify): \_\_\_\_\_
- f.  other orders be granted  as specified in Attachment 1f  as follows (specify): \_\_\_\_\_
- g. *Letters of Conservatorship* be reissued to include a statement that conservator has the powers requested in this petition.
- There is no form of medical treatment for which the proposed conservatee has the capacity to give informed consent.
  - Attached to this petition is a declaration executed by a licensed physician stating that the conservatee lacks the capacity to give informed consent for any form of medical treatment and giving reasons and the factual basis for this conclusion. (Label as Attachment 3.)
  - Conservatee  is  is not an adherent of a religion that relies on prayer alone for healing as defined in Probate Code section 2355(b).

(Continued on reverse)

CONSERVATORSHIP OF (Name):	CASE NUMBER
CONSERVATEE	

5. ATTENDANCE AT THE HEARING Conservatee
- a.  will attend the hearing.
  - b.  is able but unwilling to attend the hearing AND  does  does not wish to contest this petition.
  - c.  is unable to attend the hearing because of medical inability. An affidavit or certificate of a licensed medical practitioner or an accredited religious practitioner is affixed as Attachment 5c.
  - d.  is not the petitioner, is out of state, and will not attend the hearing.
6. Special notice  has  has not been requested. (Specify the names and addresses of persons requesting special notice in Attachment 6.)
7.  Filed with this petition is a proposed Order Appointing Court Investigator (form GC-330) that specifies the duties to be performed before granting an order relating to medical consent.
8. The names, residence addresses, and relationships of the spouse and all relatives within the second degree of the conservatee so far as known to petitioner are  listed below  listed in Attachment 8.

	<u>Relationship and name</u>	<u>Residence address</u>
a. Spouse:		
b.		

9. Number of pages attached: \_\_\_\_\_

Date: \_\_\_\_\_  
 \* (Signature of all petitioners also required (Prob. Code, § 1020).)

▶ \_\_\_\_\_  
 (SIGNATURE OF ATTORNEY \*)

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)

▶ \_\_\_\_\_  
 (SIGNATURE OF PETITIONER)

.....  
 (TYPE OR PRINT NAME)

▶ \_\_\_\_\_  
 (SIGNATURE OF PETITIONER)

CONSERVATORSHIP OF (Name):   CONSERVATEE	CASE NUMBER:   
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**ATTACHMENT REQUESTING SPECIAL ORDERS REGARDING DEMENTIA**  
**(Petition for Exclusive Authority to Give Consent for Medical Treatment (form GC-380))**  
**(Petition for Appointment of Probate Conservator (form GC-310))**

1. Petitioner requests that the conservator of the person be authorized
  - a.  to place the conservatee in a secured perimeter residential care facility for the elderly operated under Health and Safety Code section 1569.698 and which has a care plan that meets the requirements of California Code of Regulations, title 22, section 87724.
  - b.  to authorize the administration of medications appropriate for the care and treatment of dementia.
  
2. The conservatee or proposed conservatee has dementia as defined in the current edition of the *Diagnostic and Statistical Manual of Mental Disorders*.
  
3. A medical declaration executed by a licensed physician, or a licensed psychologist acting within the scope of his or her licensure with at least two years experience in diagnosing dementia,
  - a.  has been filed.
  - b.  will be filed before the hearing.
  
4.  *Restricted placement.* The conservatee needs or would benefit from placement as requested in item 1a. The conservatee lacks capacity to give informed consent to this placement. The placement requested is the least restrictive placement appropriate to the needs of the conservatee.
  
5.  *Dementia medications.* The conservatee needs or would benefit from medications appropriate to the care and treatment of dementia. The conservatee lacks capacity to give informed consent to the administration of those medications.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address)  TELEPHONE AND FAX NOS.  ATTORNEY FOR (Name): <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY</b> STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:	FOR COURT USE ONLY           CASE NUMBER:
CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name):  <div style="text-align: right;">CONSERVATEE</div>	
<b>ORDER AUTHORIZING CONSERVATOR TO GIVE CONSENT FOR MEDICAL TREATMENT</b>	

1. The petition for authority to give consent for medical treatment came on for hearing as follows (check items c, d, e, and f to indicate personal presence):
- a. Judge (name): \_\_\_\_\_
  - b. Hearing date: \_\_\_\_\_ Time:  Dept.:  Div.:  Room: \_\_\_\_\_
  - c.  Petitioner (name): \_\_\_\_\_
  - d.  Attorney for petitioner (name): \_\_\_\_\_
  - e.  Attorney for conservatee (name, address, and telephone): \_\_\_\_\_
  - f. Conservatee was  present  unable to attend  able but unwilling to attend and does not wish to contest the petition  out of state.

**THE COURT FINDS**

2. a. All notices required by law have been given.
- b.  There is no form of medical treatment for which the conservatee has the capacity to give informed consent.
  - c.  Conservatee is an adherent of a religion that relies on prayer alone for healing as defined in Probate Code section 2355(b).
  - d.  Attorney (name): \_\_\_\_\_ has been appointed by the court as legal counsel to represent the conservatee in this proceeding. The cost for representation is: \$ \_\_\_\_\_
  - e.  Conservatee has dementia as defined in Probate Code section 2356.5, and the court finds all other facts required to make the orders specified in item 4.

**THE COURT ORDERS**

3. a.  Conservatee lacks the capacity to give informed consent for medical treatment and the conservator of the person is granted the powers specified in Probate Code section 2355.
- b.  The treatment shall be performed by an accredited practitioner of the religion defined in Probate Code section 2355(b).
  - c.  The order dated: \_\_\_\_\_ made under Probate Code section 1880 is  revoked  modified  as stated below  as stated in Attachment 3c.
  - d.  For legal services rendered,  conservatee  conservatee's estate shall pay to  (name): \_\_\_\_\_ the sum of: \$ \_\_\_\_\_  forthwith  as follows (specify terms): \_\_\_\_\_
  - e.  Other (specify): \_\_\_\_\_
  - f. Letters of Conservatorship shall reissue and include a statement that conservator has the powers ordered.
  - g.  This order shall terminate on (date): \_\_\_\_\_
4. a.  The conservator of the person is granted authority to place conservatee in a care or nursing facility described in Probate Code section 2356.5(b).
- b.  The conservator of the person is granted authority to authorize the administration of medications appropriate for the care and treatment of dementia described in Probate Code section 2356.5(c).

5. Total boxes checked in items 2-4: \_\_\_\_\_

6. Number of pages attached: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDGE OF THE SUPERIOR COURT  
 SIGNATURE FOLLOWS LAST ATTACHMENT



ESTATE OF (Name):	CASE NUMBER
<input type="checkbox"/> DECEDENT <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR	

**DECLARATION OF PROBATE REFEREE**

9. I have truly, honestly, and impartially appraised to the best of my ability each item set forth in Attachment 2.
10. A true account of my commission and expenses actually and necessarily incurred pursuant to my appointment is:
- Statutory commission: \$
- Expenses (specify): \$
- TOTAL: \$

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)	▶	(SIGNATURE OF REFEREE)
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**INSTRUCTIONS**

(See Probate Code sections 2610-2616, 8801, 8804, 8852, 8905, 8960, 8961, and 8963 for additional instructions.)

1. See Probate Code section 8850 for items to be included in the inventory.
2. If the minor or conservatee is or has been during the guardianship or conservatorship confined in a state hospital under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services, mail a copy to the director of the appropriate department in Sacramento. (Prob. Code, § 2611.)
3. The representative, guardian, conservator, or small estate claimant shall list on Attachment 1 and appraise as of the date of death of the decedent or the date of appointment of the guardian or conservator, at fair market value, moneys, currency, cash items, bank accounts and amounts on deposit with each financial institution (as defined in Probate Code section 40), and the proceeds of life and accident insurance policies and retirement plans payable upon death in lump sum amounts to the estate, except items whose fair market value is, in the opinion of the representative, an amount different from the ostensible value or specified amount.
4. The representative, guardian, conservator, or small estate claimant shall list in Attachment 2 all other assets of the estate which shall be appraised by the referee.
5. If joint tenancy and other assets are listed for appraisal purposes only and not as part of the probate estate, they must be separately listed on additional attachments and their value excluded from the total valuation of Attachments 1 and 2.
6. Each attachment should conform to the format approved by the Judicial Council. (See *Inventory and Appraisal Attachment* (form DE-161/GC-041) and Cal. Rules of Court, rules 2.100—2.119.)

ESTATE OF (Name): _____	CASE NUMBER: _____
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INVENTORY AND APPRAISAL  
ATTACHMENT NO.: \_\_\_\_\_

*(In decedents' estates, attachments must conform to Probate Code section 8850(c) regarding community and separate property.)*

Page: \_\_\_\_\_ of \_\_\_\_\_ total pages.  
*(Add pages as required.)*

<u>Item No.</u>	<u>Description</u>	<u>Appraised value</u>
1.		\$

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): _____  TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY          CASE NUMBER: _____
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME: _____	
<input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> GUARDIANSHIP OF THE <input type="checkbox"/> PERSON AND ESTATE OF (Name): _____ <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR	
<b>NOTICE OF FILING INVENTORY AND APPRAISAL AND HOW TO OBJECT TO THE INVENTORY OR THE APPRAISED VALUE OF PROPERTY</b>	

1. NOTICE is given that (name):

Conservator  Guardian of the estate of the above-named conservatee or ward, filed with the court a  
 Partial No.: \_\_\_\_\_  Final  Supplemental  Corrected  Reappraisal for Sale

Inventory and Appraisal on (date filed): \_\_\_\_\_

- If you object to the *Inventory and Appraisal* identified above or to the appraised value of any property listed in it, and you want the court to hear your objections, they must be in writing, signed by you under penalty of perjury, and filed with the court at the court's address stated above. If you object to the appraised value of any property listed in the *Inventory and Appraisal*, you must file your objections with the clerk of the court no later than 30 days after the date specified in item 1 above.
- If you object to a Final *Inventory and Appraisal* or to an *Inventory and Appraisal* filed on or after the later of (1) 90 days from the date of the order appointing the conservator or guardian or (2) the last day of any extension granted by the court for filing the *Inventory and Appraisal*, in addition to the objections described above you may also object to that *Inventory and Appraisal* and all others previously filed on the ground that they do not list property that should have been listed and valued as property of the estate.
- You may prepare your written objections on form GC-045, *Objections to Inventory and Appraisal of Conservator or Guardian*. When you file your objections, the court will set a date, time, and place for a hearing on them. Unless the court orders otherwise, you then must arrange for someone other than yourself to mail, at least 15 days before the hearing date, copies of your objections and copies of another form, form GC-020, *Notice of Hearing—Guardianship or Conservatorship*, showing the date, time, and place of the court hearing, to (1) the conservator or guardian of the estate; (2) the conservator's or guardian's attorney, if any, at the address shown at the top of this form; (3) the conservatee or the minor (if the minor is at least 12 years of age; if not, to the minor's parents, guardian, or other adult residing with the minor who has legal custody); (4) the spouse or registered domestic partner of the conservatee or the spouse of the minor; (5) any person who has filed form DE-154/GC-035, *Request for Special Notice*, in this case; and (6) any probate referee who made an appraisal of property to which you object. (You do not have to ask someone to mail copies to you if you are one of the persons listed above.) You must then arrange for the person who did the mailing to complete and sign the proof of service on page 2 of the original *Notice of Hearing* and file the *Notice* with the court before the date of the hearing.
- At the hearing the court will consider and determine the merits of your objections and may fix the true value of any property to the appraised value of which you have objected. The court may order an independent reappraisal by one or more additional appraisers at the expense of the conservatorship or guardianship estate, but if your objection to the appraisal of any property that the court orders to be reappraised is not upheld by the court, the cost of the reappraisal may be charged to you.

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least five days notice is provided. Contact the clerk's office for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civ. Code, § 54.8.)



<input type="checkbox"/> CONSERVATORSHIP	<input type="checkbox"/> GUARDIANSHIP OF THE	<input type="checkbox"/> PERSON AND ESTATE	CASE NUMBER--
OF (Name):			
<input type="checkbox"/> CONSERVATEE			<input type="checkbox"/> MINOR

**INSTRUCTIONS TO CONSERVATOR OR GUARDIAN**

Each time you file an *Inventory and Appraisal* in this matter, you must complete this *Notice of Filing Inventory and Appraisal and How to Object to the Inventory or the Appraised Value of Property*. You, your attorney, or an employee of your attorney must mail copies of the completed *Notice* and court file-stamped copies of the filed *Inventory and Appraisal* to the conservatee, the attorney for the conservatee or ward, the conservatee's spouse or registered domestic partner, and the conservatee's first-degree relatives (parents and children) or, if none, to the conservatee's nearest relative. The person who does the mailing must complete and sign the proof of mailing below. You then must file the original *Notice* with the court.

**PROOF OF MAILING**

- I am over the age of 18. I am the appointed conservator or guardian, the conservator's or guardian's attorney, or an employee of the attorney. I am a resident of or employed in the county where the mailing occurred.
- My residence or business address is (*specify*):
- I mailed the foregoing *Notice of Filing Inventory and Appraisal and How to Object to the Inventory or the Appraised Value of Property* on each person named below by enclosing a copy in an envelope addressed as shown below AND
  - depositing the sealed envelope with the United States Postal Service on the date and at the place shown in item 4 with the postage fully prepaid.
  - 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 mailed with this *Notice of Filing Inventory and Appraisal and How to Object to the Inventory or the Appraised Value of Property* a copy of the *Inventory and Appraisal* identified in item 1 on page 1 of this *Notice*, showing the date it was filed with the court.

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 NOTICE WAS MAILED**

Name and relationship to conservatee or ward

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

1.	<input type="text"/> Conservatee	<input type="text"/>
2.	<input type="text"/> Attorney for conservatee or ward	<input type="text"/>
3.	<input type="text"/> Spouse or registered domestic partner of conservatee	<input type="text"/>

Continued on an attachment. (*You may use form GC-042(MA) to show additional persons served.*)



NAME OF INSTITUTION: ADDRESS: CONTACT PERSON: TITLE: _____ TELEPHONE NO: _____	FOR COURT USE ONLY
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY</b> STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:	
<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP    OF (Name): _____ <input type="checkbox"/> MINOR <input type="checkbox"/> CONSERVATEE	NO FILING FEE
<b>NOTICE OF TAKING POSSESSION OR CONTROL OF AN ASSET OF MINOR OR CONSERVATEE</b>	CASE NUMBER:
<p style="text-align: center;"><b>NOTE TO INSTITUTION</b></p> <p>When a guardian or conservator of the estate of a minor or conservatee takes possession or control of an asset of the minor or conservatee held or controlled by an institution, Probate Code section 2890 requires the institution to file a statement with the court having jurisdiction over the guardianship or conservatorship and identified in the <i>Letters of Guardianship</i> or <i>Letters of Conservatorship</i>. The statement must contain the information specified below concerning the institution, the minor or conservatee, and the asset. The statement must be on this form and must be signed by an authorized officer of the institution. A single statement may cover all assets of a minor or conservatee held by the institution.</p> <p>An "institution" is defined in Probate Code section 2890(c) as an insurance company, insurance broker, insurance agent, investment company, investment bank, securities broker-dealer, investment advisor, financial planner, financial advisor, or any other person who takes, holds, or controls an asset subject to a conservatorship or guardianship (other than a financial institution as defined in Probate Code section 2892(b)). "Taking possession or control of an asset" includes changing title to the asset, withdrawing all or any portion of the asset, or transferring all or any portion of the asset from the institution.</p>	

**1. Personal information**

- a. Minor or conservatee (*name*):  
b. Guardian or conservator of the estate (*name*):

**2. Institution information**

- a. Institution (*name and type*):  
b. Address:

**3. Asset information**

- a. Account, policy, or other identification number:  
b. Type of asset:  
c. Value or, if it is not known, the estimated value of the asset on the date *Letters of Guardianship* or *Letters of Conservatorship* were issued by the court to the guardian or conservator (*this information must be given to the extent it is routinely provided in statements from the institution to asset owners*):

Information on additional assets of the minor or conservatee named above held by the institution is stated in attachment 3.

4. The guardian or conservator presented *Letters of Guardianship* or *Letters of Conservatorship* that identify the guardian or conservator as the guardian or conservator of the estate of the minor or conservatee named above.

5. I am an officer of the institution identified in this statement, and I am authorized to sign this statement on its behalf.

I declare under penalty of perjury under the laws of the State of California that the foregoing, including statements in all attachments, is true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(AUTHORIZED SIGNATURE)

Title: \_\_\_\_\_

Telephone no.: \_\_\_\_\_

Page 1 of 1

DECLARANT (Name) INSTITUTION (Name): ADDRESS:  TELEPHONE:  FAX (Optional):	TITLE:	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME:		
<input type="checkbox"/> GUARDIANSHIP <input type="checkbox"/> CONSERVATORSHIP OF (Name):  <input type="checkbox"/> MINOR <input type="checkbox"/> CONSERVATEE		NO FILING FEE
<b>NOTICE OF OPENING OR CHANGING A GUARDIANSHIP OR CONSERVATORSHIP ACCOUNT OR SAFE-DEPOSIT BOX</b>		CASE NUMBER:
<b>NOTE TO FINANCIAL INSTITUTION:</b> When a guardian or conservator of the estate of a person opens or changes the name on an account or a safe-deposit box in a "financial institution" (a bank, a trust, a savings and loan association, a savings bank, an industrial bank, or a credit union), the institution must file a statement with the court having jurisdiction over the proceeding and identified in the <i>Letters of Guardianship</i> or <i>Letters of Conservatorship</i> . The statement must contain the information specified below concerning each new or existing account or safe-deposit box in the institution. The statement must be signed by an authorized officer of the institution.		

1. I am an officer of the financial institution identified in this statement, and I am authorized to sign this statement on its behalf.
2. The guardian or conservator presented *Letters of Guardianship* or *Letters of Conservatorship* identifying the guardian or conservator of the estate of the ward or conservatee named above.
3.
  - a. Financial institution (name):
  - b. Branch (name):  
(street address):  
(city and zip code): (telephone):
4.  Account status (check one; identify additional new or existing accounts on Attachment 4):
  - a.  (1) New account opened on (date): reflecting the guardianship or conservatorship.  
(2) Account number:
  - b.  (1) Existing account changed on (date): to reflect the guardianship or conservatorship.  
(2) Account number: Before change: After change:  
(3) Name on account before change (state each name):
  - c. Opening balance of new account or balance of existing account immediately after change: \$
5.  Safe-deposit box status (check one. Identify additional safe-deposit boxes on Attachment 5):
  - a.  New box rented on (date): reflecting the guardianship or conservatorship.
  - b.  Existing box rental changed to reflect the guardianship or conservatorship on (date):
  - c. New safe-deposit box number or current number after change:
  - d. This institution  has  has not been given access to the safe-deposit box identified above.  
(If you checked "has," complete item 5e.)
  - e.  The contents of the safe-deposit box identified above are as follows (list the contents in general terms, such as "currency, coins, jewelry, tableware, insurance policies or certificates, stock certificates, bonds, deeds, and wills"):
6. Name of each person who opened or whose name was added to above-identified account or safe-deposit box (state each name):

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 AUTHORIZED OFFICER)

(SIGNATURE OF AUTHORIZED OFFICER)

Page 1 of 1

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)  TELEPHONE NO.: _____ FAX NO. (Optional) _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME: _____	
<input type="checkbox"/> ESTATE <input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> GUARDIANSHIP    OF (Name): _____ <input type="checkbox"/> DECEDENT <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR	
<b>REPORT OF SALE AND PETITION FOR ORDER                  CONFIRMING SALE OF REAL PROPERTY</b> <input type="checkbox"/> and Sale of Other Property Sold as a Unit	CASE NUMBER: _____ HEARING DATE AND TIME: _____ DEPT.: _____

1. **Petitioner (name of each):**

Is the  personal representative  conservator  guardian of the estate of the decedent, conservatee, or minor  
 purchaser (30 days have passed since the sale) (Attach supporting declaration (Prob. Code, § 10308(b.))  
 and requests a court order for (check all that apply):

- a. ~~confirmation of sale of the estate's interest in the real property described in Attachment 2e~~
- b.  confirmation of sale of the estate's interest in other property sold as a unit as described in Attachment 2c.
- c.  approval of commission of (specify): \_\_\_\_\_ % of the amount of: \$ \_\_\_\_\_
- d. additional bond  is fixed at: \$ \_\_\_\_\_  is not required.

2. **Description of property sold**

- a. Interest sold:  100%  Undivided (specify): \_\_\_\_\_ %
- b.  Improved  Unimproved
- c.  Real property sold as a unit with other property (describe in Attachment 2c).
- d. Street address and location (specify): \_\_\_\_\_

e. Legal description is affixed as Attachment 2e.

3. **Appraisal**

- a. Date of death of decedent or appointment of conservator or guardian (specify): \_\_\_\_\_
- b. Appraised value at above date: \$ \_\_\_\_\_
- c. Reappraised value within one year before the hearing: \$ \_\_\_\_\_  Amount includes value of other property sold as a unit. (If more than one year has elapsed from the date in item 3a to the date of the hearing, reappraisal is required.)
- d. Appraisal or reappraisal by probate referee  has been filed  will be filed  
 has been waived by order dated: \_\_\_\_\_

4. **Manner and terms of sale**

- a. Name of purchaser and manner of vesting title (specify): \_\_\_\_\_
- b.  Purchaser is the  personal representative  attorney for the personal representative.
- c. Sale was  private  public on (date): \_\_\_\_\_
- d. Amount bid: \$ \_\_\_\_\_ Deposit: \$ \_\_\_\_\_
- e. Payment  Cash  Credit (specify terms on Attachment 4e.) \_\_\_\_\_
- f.  Other terms of sale (specify terms on Attachment 4f.) \_\_\_\_\_
- g.  Mode of sale specified in will.  Petitioner requests relief from complying for the reasons stated in Attachment 4g.
- h.  Terms comply with Probate Code section 2542 (guardianships and conservatorships).

<input type="checkbox"/> ESTATE <input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> GUARDIANSHIP OF (Name): _____	CASE NUMBER _____
--	-------------------

**5. Commission**

- a.  Sale without broker
- b.  A written  exclusive  nonexclusive contract for commission was entered into with (name): \_\_\_\_\_
- c.  Purchaser was procured by (name): \_\_\_\_\_  
a licensed real estate broker who is not buying for his or her account.
- d.  Commission is to be divided as follows:

**6. Bond**

- a. Amount before sale: \$ \_\_\_\_\_  none.
- b. Additional amount needed: \$ \_\_\_\_\_  none.
- c.  Proceeds are to be deposited in a blocked account. Receipts will be filed. (Specify institution and location): \_\_\_\_\_

**7. Notice of sale**

- a.  Published  Posted as permitted by Probate Code section 10301 (\$5,000 or less)
- b.  Will authorizes sale of the property
- c.  Will directs sale of the property

**8. Notice of hearing**

- |  |   |
|--|---|
| a. Special devisee:<br>(1) <input type="checkbox"/> None.<br>(2) <input type="checkbox"/> Consent to be filed.<br>(3) <input type="checkbox"/> Written notice will be given. | c. Personal representative, conservator of the estate, or guardian of the estate:<br>(1) <input type="checkbox"/> Petitioner (consent or notice not required).<br>(2) <input type="checkbox"/> Consent to be filed.<br>(3) <input type="checkbox"/> Written notice will be given. |
|--|---|

b. Special notice:

- (1)  None requested.
- (2)  Has been or will be waived.
- (3)  Required written notice will be given.

**9. Reason for sale (need not complete if item 7b or 7c checked)**

- a.  Necessary to pay
  - (1)  debts
  - (2)  devise
  - (3)  family allowance
  - (4)  expenses of administration
  - (5)  taxes
- b.  The sale is to the advantage of the estate and in the best interest of the interested persons.

**10. Formula for overbids**

- |   |          |
|---|----------|
| a. Original bid:                          | \$ _____ |
| b. 10% of first \$10,000 of original bid: | \$ _____ |
| c. 5% of (original bid minus \$10,000):   | \$ _____ |
| d. Minimum overbid (a + b + c):           | \$ _____ |

11. Overbid. Required amount of first overbid (see item 10): \$ \_\_\_\_\_

12. Petitioner's efforts to obtain the highest and best price reasonably attainable for the property were as follows (specify activities taken to expose the property to the market, e.g., multiple listings, advertising, open houses, etc.): \_\_\_\_\_

13. Number of pages attached: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME OF ATTORNEY)

\_\_\_\_\_  
(SIGNATURE OF ATTORNEY)

\* (Signature of all petitioners also required (Prob. Code, § 1020).)

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 PETITIONER)

\_\_\_\_\_  
(SIGNATURE OF PETITIONER)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address)  
After recording return to:

TELEPHONE NO.:  
FAX NO. (Optional):  
E-MAIL ADDRESS (Optional):  
ATTORNEY FOR (Name):

SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY  
STREET ADDRESS: 11 Court Street  
MAILING ADDRESS: PO Box 1258  
CITY AND ZIP CODE: Weaverville, CA 96093  
BRANCH NAME:

FOR RECORDER'S USE

ESTATE OF  
 CONSERVATORSHIP OF (Name):  
 GUARDIANSHIP OF

DECEDENT  CONSERVATEE  MINOR

**ORDER CONFIRMING SALE OF REAL PROPERTY**  
 and Confirming Sale of Other Property as a Unit

CASE NUMBER:

1. Hearing date: \_\_\_\_\_ Time: \_\_\_\_\_ Dept.: \_\_\_\_\_ Rm.: \_\_\_\_\_

**THE COURT FINDS**

2. All notices required by law were given and, if required, proof of notice of sale was made.

3. a.  Sale was authorized or directed by the will  
b.  Good reason existed for the sale  
of the property commonly described as (street address or location):

4. The sale was legally made and fairly conducted.  
5. The confirmed sale price is not disproportionate to the value of the property.  
6.  Private sale: The amount bid is 80% or more of the appraised value of the property as appraised within one year of the date of the hearing.  
7. An offer exceeding the amount bid by the statutory percentages  cannot be obtained  was obtained in open court. The offer complies with all applicable law.  
8. The  personal representative  conservator  guardian of the estate of the decedent, conservatee, or minor has made reasonable efforts to obtain the highest and best price reasonably attainable for the property.

**THE COURT ORDERS**

9. The sale of the real property legally described  in item 15 on page 2  on Attachment 9  and other property sold as a unit described  in item 15 on page 2  on Attachment 9 is confirmed to (name):

(manner of vesting title):  
for the sale price of: \$ \_\_\_\_\_ on the following terms (use item 15 on page 2 or Attachment 9 if necessary):

Continued in item 15 on page 2.  Continued on Attachment 9.

10. The  personal representative  conservator  guardian of the estate of the decedent, conservatee, or minor (name):  
is directed to execute and deliver a conveyance of the estate's interest in the real property described in item 9  and other property described in item 9 sold as a unit upon receipt of the consideration for the sale.

<input type="checkbox"/> ESTATE <input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> GUARDIANSHIP OF (Name): _____	CASE NUMBER: _____
--	--------------------

11. a.  No additional bond is required.  
 b.  Additional bond is required in the amount of: \$ \_\_\_\_\_, surety, or otherwise, as provided by law.  
 c.  Net sale proceeds must be deposited by escrow holder in a blocked account to be withdrawn only on court order. Receipts must be filed. (Specify institution and location): \_\_\_\_\_

12. a.  No commission is payable.  
 b.  A commission from the proceeds of the sale is approved in the amount of: \$ \_\_\_\_\_ to be paid as follows (specify): \_\_\_\_\_

13. Other (specify, use Attachment 13 if necessary): \_\_\_\_\_

14. Number of pages attached: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDICIAL OFFICER

Signature follows last attachment.

15.  (Check all that apply):  Legal description of the  real property  personal property in item 9:  
 Additional terms of sale from Item 9: \_\_\_\_\_

[SEAL]	<p style="text-align: center;"><b>CLERK'S CERTIFICATE</b></p> <p>I certify that the foregoing <i>Order Confirming Sale of Real Property</i>, including any attached description of real or personal property, is a true and correct copy of the original on file in my office.</p> <p>Date: _____ CLERK, by _____, Deputy</p>
--------	---

<input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> GUARDIANSHIP OF (Name):	CASE NUMBER:
<input type="checkbox"/> Conservatee <input type="checkbox"/> Minor	

**Schedule B, Gains on Sales—Standard and Simplified Accounts**

Gains on sales during period of account

Date (mm/dd/yyyy)	Property Sold	Carry Value *	Sale Price	Gain
		\$	\$	\$
<input type="checkbox"/> Totals, Carry Values, Sale Prices, and Gains:		\$	\$	\$

\* See form GC-400(PH)(2)/GC-405(PH)(2) for information about Carry Value.

*(List all property sold during the account period that resulted in gains (gross sale price higher than carry value). Include each property's inventory and Appraisal item number and the date the inventory and Appraisal containing the property was filed. Add pages as required. Check the box at the bottom of the last page of this schedule and total the carry values, sale prices, and the gains. Carry the total of gains over to line 4 of the Summary of Account (form GC-400(SUM)/GC-405(SUM)). The page total to the right is the number of pages in Schedule B.)*

CALIFORNIA ATTORNEY OR REGISTRANT WITHOUT CALIFORNIA ATTORNEY STATE BAR NO.:		FOR COURT USE ONLY	
NAME:			
FIRM NAME:			
STREET ADDRESS:			
CITY:	STATE: ZIP CODE:		
TELEPHONE NO.:	FAX NO.:		
E-MAIL ADDRESS:			
ATTORNEY FOR (name):			
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF * Trinity</b> STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME: * Court where registration is filed.			
CONSERVATORSHIP OF THE		<input type="checkbox"/> PERSON	<input type="checkbox"/> ESTATE OF
(Name):			
		CONSERVATEE	
<b>CONSERVATORSHIP REGISTRANT'S ACKNOWLEDGMENT          OF RECEIPT OF HANDBOOK FOR CONSERVATORS *</b> (California Conservatorship Jurisdiction Act)		CALIFORNIA REGISTRATION NUMBER:	
JURISDICTION WHERE CONSERVATORSHIP OR ADULT GUARDIANSHIP CASE FILED:			
COURT:		DEPT.:	CASE NUMBER:
TITLE OF PROCEEDING:			

I acknowledge that I have received or accessed electronically the *Handbook for Conservators* adopted by the California Judicial Council.

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)

\_\_\_\_\_  
(SIGNATURE OF CONSERVATORSHIP REGISTRANT)

\* File this form with each California superior court where you registered the conservatorship proceeding identified above.

CALIFORNIA ATTORNEY OR INTENDED REGISTRANT WITHOUT CALIFORNIA ATTORNEY:		STATE BAR NUMBER:	
NAME:			
FIRM NAME:			
STREET ADDRESS:			
CITY:		STATE:	ZIP:
TELEPHONE NO.:	FAX NO.:		
E-MAIL ADDRESS:			
ATTORNEY FOR (name):			
CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF			
(Name):			
CONSERVATEE			
<b>NOTICE OF INTENT TO REGISTER CONSERVATORSHIP*</b> (California Conservatorship Jurisdiction Act)			
JURISDICTION WHERE CONSERVATORSHIP OR ADULT GUARDIANSHIP CASE FILED:			
COURT:		DEPT.:	CASE NUMBER:
TITLE OF PROCEEDING:			

1. NOTICE is given that (name):  
(specify fiduciary or representative capacity):  
intends to register the conservatorship proceeding identified above with the following California superior court:  
Superior Court, County of \_\_\_\_\_, on or after (specify date\*\*):
2. NOTICE is further given that:
  - a. A conservator in a conservatorship registered in California under the California Conservatorship Jurisdiction Act (chapter 8 of part 3 of division 4 of the Probate Code, commencing with section 1980) taking an action under the Act is fully subject to the law of California governing the action, including all applicable court procedures concerning the action, and is not authorized to take any action prohibited by that law.
  - b. If a conservator in a conservatorship registered in California under the Act proposes to take a specific action that requires court approval or other action in court under California law, the conservator will be required to notify any person entitled to receive a copy of this Notice of the request for court approval or other court action. The person notified will have an opportunity to object or otherwise participate in the court proceeding at that time, in the same manner as other persons are entitled to object or otherwise participate under the law of California.
  - c. Information about a conservator's rights, duties, limitations, and responsibilities under California law may be found in a publication titled *Handbook for Conservators*, which is posted on the Judicial Council of California's website at: [www.courts.ca.gov/documents/handbook.pdf](http://www.courts.ca.gov/documents/handbook.pdf).
  - d. Except in the case of a conservatorship filed in and supervised by the court of a California Indian tribe with jurisdiction, registration of a conservatorship in California is effective only while the conservatee resides outside California and does not authorize the conservator to take any action while the conservatee resides in California.

\* Prepare and serve (deliver) a separate *Notice of Intent to Register Conservatorship* for each court in which you intend to register this conservatorship.

\*\* The date of registration must be 15 or more days after this notice is mailed or personally delivered (Prob. Code, § 2014(a)).

Page 1 of 4

CONSERVATORSHIP OF THE  PERSON  ESTATE OF \_\_\_\_\_  
 (Name): \_\_\_\_\_  
 CONSERVATEE

**INSTRUCTIONS FOR DELIVERY OR SERVICE OF NOTICE OF INTENT TO REGISTER**

A copy of this *Notice of Intent to Register Conservatorship* must be delivered, at least 15 days before registration of the conservatorship in California, to (1) the court that is supervising the conservatorship or guardianship proceeding in the state or other jurisdiction other than California shown on the first page of this form; (2) each person who has the right under the law of that jurisdiction to notice of the date, time, and place of a court hearing on a petition for the appointment of a guardian of an adult or a conservator; and (3) each person who would be entitled to notice of the date, time, and place of a court hearing on a petition for the appointment of a conservator in California (see Prob. Code §§ 1821–1824). These copies may be delivered by mail. However, copies of this Notice may be personally delivered instead of mailed. The registrant (the person who intends to register the conservatorship in California) must show the court that copies of this Notice have been delivered in compliance with applicable law. The registrant does this by performing the delivery and completing and signing a proof of delivery. The Notice is then combined with certified copies of the conservatorship appointment order, Letters of Conservatorship or other letters of office, any surety bond, and the original signed *Conservatorship Registration Cover Sheet and Attestation of Conservatee's Nonresidence in California* (form GC-360) for filing in the California court selected for registration (see Prob. Code §§ 2011–2013).

Pages 2–4 of this form contain a proof of delivery that may be used only to show delivery by mail. To show personal delivery, each person who performs the delivery must complete and sign a proof of personal delivery or service, and each signed copy of that proof must be attached to this Notice when it is delivered to the court to complete registration. You may use form number POS-020(P) to show personal delivery of this Notice. A fillable copy of that form (and all other forms, listed by their form numbers) may be found on the Judicial Council's Internet website, at [www.courts.ca.gov/formnumber.htm](http://www.courts.ca.gov/formnumber.htm).

**PROOF OF DELIVERY BY MAIL**

1. I am over the age of 18 years. I am a resident of or employed in the county where the mailing occurred.
2. My residence or business address is (*specify*): \_\_\_\_\_
3. I delivered the foregoing *Notice of Intent to Register Conservatorship* on each person named below by enclosing a copy in an envelope addressed as shown below AND
  - a.  depositing the sealed envelope with the United States Postal Service on the date and at the place shown in item 4 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 NOTICE WAS MAILED**

Name and Relationship to Conservatee Address (number, street, city, state, and zip code)

1.	Appointing or Supervising Court	
2.	Conservatee or Ward	





CALIFORNIA ATTORNEY OR REGISTRANT WITHOUT CALIFORNIA ATTORNEY (Name, address, and State Bar number):

TEL NO.: FAX NO.:

E-MAIL ADDRESS:

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Trinity

STREET ADDRESS: 11 Court Street

MAILING ADDRESS: PO Box 1258

CITY AND ZIP CODE: Weaverville, CA 96093

BRANCH NAME:

FOR RECORDER'S USE ONLY

CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (name):		CALIFORNIA REGISTRATION NUMBER
CONSERVATEE		FOR COURT USE ONLY
<b>CONSERVATORSHIP REGISTRATION COVER SHEET AND                  ATTESTATION OF CONSERVATEE'S NON-RESIDENCE IN CALIFORNIA                  (California Conservatorship Jurisdiction Act)</b>		
JURISDICTION WHERE CONSERVATORSHIP OR ADULT GUARDIANSHIP CASE FILED:		
COURT:	DEPT.:	CASE NUMBER:
TITLE OF PROCEEDING:		

**INFORMATION AND INSTRUCTIONS FOR REGISTRANTS**

The California Conservatorship Jurisdiction Act (Prob. Code §§1980–2300) is California's modified version of the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act. Terms and phrases used in this Cover Sheet that are defined in California Probate Code sections 1982 or 2031 are in italics and have the meanings provided in those sections; all further statutory references are to that code. A *conservator of the person* in California is a fiduciary that is referred to in many other states or jurisdictions as the guardian of the person of an adult; a *conservator of the estate* in California is a person who is referred to in many other states or jurisdictions as the guardian of the estate of an adult or a person authorized by law to preserve and manage the property and finances of a protected person, who is a person for whom a court has issued a protective order; a *conservator of the person and estate* in California is a person who has the combined powers and authority of a *conservator of the person* and a *conservator of the estate* of an adult person, who is referred to in California as the *conservatee*. A *conservator* may be a conservator of the person, of the estate, or of the person and estate of a *conservatee*.

A *conservator* appointed by a court of a state other than California; or by a court of the District of Columbia, Puerto Rico, United States Virgin Islands, any territory or insular possession subject to the jurisdiction of the United States; or by a court of an *Indian tribe with jurisdiction*, including a *California tribe*, may register the *conservatorship order* with a California superior court in accordance with sections 2011 (*conservatorship of the person*), 2012 (*conservatorship of the estate*), or 2013 (*conservatorship of the person and estate*). Registration is accomplished, after giving notice as required by section 2014, by **filing a signed and initialed copy of this Cover Sheet together with proof of notice and certified copies of (1) the appointing court's conservatorship order, (2) Letters of Conservatorship or other letters of office, and (3) any surety bond with an appropriate California superior court identified in sections 2011, 2012, or 2013.**

Upon registration and receipt of the written information concerning a *conservator's* rights, duties, limitations, and responsibilities in California described in sections 1835 and 2015, and the filing of the *conservator's* written acknowledgement of receipt of that information, the *conservator* may, while the *conservatee* resides outside of California or if the *conservatorship order* was made by the court of a *California tribe*, exercise in any county of this state all of the powers authorized in the *conservatorship order*, except as prohibited by the law of California, including maintaining actions and proceedings in this state (subject to any conditions imposed on nonresident parties if the *conservator* is not a resident of California). See section 2016.

\* Court where registration is made (prepare separate cover sheet for each court where registration is to be made).



CONSERVATORSHIP OF <i>(name)</i> :     CONSERVATEE	CALIFORNIA REGISTRATION NUMBER
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**CONSERVATOR'S ATTESTATION OF CONSERVATEE'S NON-RESIDENCE IN CALIFORNIA**  
(Probate Code section 2017)

I am the registrant named below and the conservator of the conservatee named above.

The conservatee does not reside in the State of California as of the date shown below.

The conservatee resides in California as of the date shown below. My appointment as conservator was made by a court of a *California tribe*, which is an *Indian tribe with jurisdiction* under the California Conservatorship Jurisdiction Act (chapter 8 of part 3 of division 4 of the Probate Code, commencing with section 1980). (See section 1982.)

I promise to notify promptly any person to whom I have delivered a copy of this Conservatorship Registration Cover Sheet and Attestation of Conservatee's Non-Residence in California if the conservatee becomes a resident of the State of California. This promise does not apply to a conservatee who resides in California if his or her conservator was appointed by a court of a *California tribe* that is an *Indian tribe with jurisdiction* under the California Conservatorship Jurisdiction Act.

I declare under penalty of perjury under the laws of the State of California that I have read and understand the foregoing and that it is true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF REGISTRANT)