



SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN DIEGO

What is Conservatorship?

A Conservatorship is a court proceeding in which a Judge appoints a family member, friend or other responsible person (conservator) to care for another adult (conservatee) who cannot care for themselves and/or their finances.

Conservatorship of the Person

In a Conservatorship of the Person, the conservator is responsible for making sure that the conservatee has proper food, clothing, shelter, and health care. Depending on the conservatee's ability to understand and make decisions, the conservator may need to make important medical choices for him or her.

Conservatorship of the Estate

In a Conservatorship of the Estate, the conservator handles the conservatee's financial matters. These duties include managing the conservatee's finances, protecting income and property, paying bills, making investments, preparing and filing taxes on behalf of the conservatee. The conservator is also required to make regular reports of the financial account to the courts and other interested parties.

General Conservatorship v. Limited Conservatorship

General Conservatorships are often for elderly people, but can also be younger people who have been seriously impaired, like in a car accident, for example.

Limited Conservatorships are for adults with developmental disabilities who cannot fully care for themselves or their finances. Conservatees in Limited

Conservatorships do not need the higher level of care that conservatees in General Conservatorships need.

What is a Temporary Conservatorship?

A temporary conservatorship may be set up when a person needs immediate help. A judge, upon finding of good cause, may appoint a temporary conservator of the person or of the estate, or both, for a specific period until a permanent conservator can be appointed. A temporary conservator arranges for temporary care, protection, and support of the conservatee and protects the conservatee's property from loss or damage. A temporary conservator may also be appointed to fill in between permanent conservators, if, for example, the permanent conservator dies or the judge has ordered his or her removal. The authority of a temporary conservator is much more limited than a permanent conservator.

What are the alternatives to a Conservatorship?

If the only purpose of the temporary conservatorship is to designate an individual to make medical decisions on behalf of an incapacitated person, a temporary conservatorship may not be needed. Certain individuals, such as an incapacitated person's spouse or the public guardian, can petition the court for authority to make medical decisions on behalf of an incapacitated individual. ([Prob. Code §3200](#)).

What type of investigation is involved with becoming a Conservator?

When a Petition for Appointment of Probate Conservator is filed, the Court will determine if an investigation is required prior to the hearing. If one is required, a Court Investigator will be assigned to the case and will contact the parties.

In Limited Conservatorships and General Conservatorships where the Petition is alleging that the proposed conservatee has Major Neurocognitive Disorder (F.K.A. Dementia), the Court will appoint an Attorney to represent the proposed conservatee. The Court Appointed Attorney will contact the parties and prepare a report for the hearing.

After appointment, all Conservatorship cases are subject to periodic investigations by the Court Investigator. ([Prob. Code §1850](#))