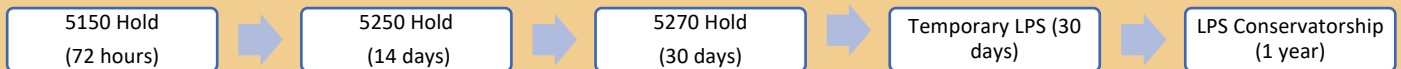


Conservatorship in California

This fact sheet explains the different types of conservatorships in California. Conservatorship is a court process to name a person or agency to make decisions for someone unable to care for themselves. It is usually involuntary. Conservatorship removes civil rights and is a last resort when other options have been unsuccessful. Completing advance planning documents can help someone avoid conservatorship.

LPS (Lanterman Petris Short) Conservatorship: For adults with serious mental illness

- Initiated by hospitals, counties, or police. Cannot be initiated by family members
- Occurs when a person is a danger to self or others, or is gravely disabled due to mental disorder
- A person is usually conserved after a series of temporary holds, during which a judge sees if they are getting better:



Limited Conservatorship: For adults with developmental disabilities

- Can be initiated by any interested adult
- May be needed when a child with developmental disabilities becomes a legal adult (turns 18)
- Alternatives such as supported decision-making agreements should be explored first

Probate Conservatorship: For people who are unable to take care of themselves (often because of advanced dementia or other disabling conditions)

- Initiated by any "interested person"; hospitalization not required first
- Occurs when a person is unable to provide properly for personal needs for physical health, food, clothing, or shelter, and/or is substantially unable to manage financial resources or resist fraud or undue influence
- The court can appoint a conservator of the person and/or estate
- A last resort



Housing Conservatorship: In limited CA counties, for adults with serious mental illness **and** substance use disorder

- Person must have received evaluation for psychiatric emergency 8+ times in a year under an involuntary hold
- Aims to link conserved people to housing, intensive case management, outpatient behavioral health care, and residential treatment
- Terminates after 6 months, unless there is demonstrated need to extend

CARE Court: (In rollout phase/currently being litigated) For people experiencing severe mental illness with a diagnosis in schizophrenia spectrum and other psychotic disorders

- A court process for involuntary clinical evaluation, behavioral health care and medication, and social services/housing
- Unlike other forms of conservatorship, places mandates on county entities as well as the conserved person