



Disability and Guardianship Project

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July 1, 2020

Governor Gavin Newsom
Attn: Ms. Ana Matosantos
1303 10th Street, Suite 1173
Sacramento, CA 95814

Re: *Capacity Assessments in California Conservatorship Proceedings*
A Report to the Chief Justice, Governor, and Legislature

Dear Governor Newsom:

With this letter we are transmitting to you the above-entitled report. The report is also being sent to leaders in the other two branches of government.

This report is intended to assist the State of California in developing ways to improve clinical practices and judicial procedures to better protect the rights of seniors and people with disabilities in probate conservatorship proceedings. The enclosed letter to the Chief Justice provides additional context to current shortcomings in these proceedings and the need to adopt major reforms.

There is a role for you as governor and for several executive branch agencies and departments under your supervision to play in this reform process. We, therefore, urge your legal affairs secretary to review the report and for your cabinet secretary to share it with the following officials: Director of the Department of Developmental Services and the Secretary of the Health and Human Services Agency; Director of the Department of Fair Employment and Housing and the Secretary of the Business, Consumer Services and Housing Agency; and the Director of the Department of Aging. Because several recommendations in the report will require new legislation to be passed, we also encourage your legislative affairs secretary to review the report.

We would be pleased to have conversations with your staff or with the above-mentioned department directors or agency secretaries about how to best implement the recommendations in this report.

Respectfully,

Thomas F. Coleman
Legal Director

cc: Chief Justice Tani Cantile-Sakauye
Assembly Speaker Anthony Rendon
Senate President Pro-Tem Toni Atkins