



Disability and Guardianship Project

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July 1, 2020

Hon. Anthony Rendon, Assembly Speaker
State Capitol, Room 219
Hon. Toni Atkins, Senate President Pro Tem
State Capitol, Room 205
Sacramento, CA 95814

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

Dear Speaker and President Pro Tem:

With this letter we are transmitting the above-entitled report to the Legislature. 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 major role for the Legislature to play in this reform process. The report recommends the passage of seven pieces of new legislation. We, therefore, encourage you to share the report with the most relevant legislative committees and special committees.

In the Assembly, the report should be reviewed by members and staff of the following standing committees: Judiciary; Aging and Long Term Care; Human Services. It should also be reviewed by the Select Committee on Intellectual and Developmental Disabilities.

In the Senate, the report should be reviewed by members and staff of the following standing committees: Judiciary; Health; Human Services. It should also be reviewed by the Select Committee on Mental Health.

We would be pleased to have conversations with the chairpersons and staff of these committees and select committees about crafting legislation to implement the recommendations in this report.

Respectfully,

Thomas F. Coleman
Legal Director

cc: Chief Justice Tani Cantile-Sakauye
Governor Gavin Newsom