



Injustices to People with Developmental Disabilities

According to the Department of Developmental Services, there were 49,637 regional center clients with developmental disabilities who were living under an order of conservatorship in 2019. That is up from 43,341 active conservatorship cases in 2016. Spectrum Institute estimates that about 5,000 new conservatorship petitions are filed against such adults each year in California. In some cases, these individuals are not provided with an attorney to defend their rights. In other cases, their assigned attorney surrenders their rights or ignores their stated wishes. Here are a few examples of injustices that such adults have experienced in probate conservatorship proceedings.

Michael P. – Lancaster

Michael was a young man with intellectual disabilities who died as a result of conservatorship neglect. The judge and court-appointed attorney failed to remove him from a dangerous situation. He died prematurely and unnecessarily.

Gregory D. – Los Angeles

Gregory is a young autistic man who for years has been ordered by the court to have prolonged visits with a parent whom Gregory says he fears and dislikes. He was also forced to attend church services. His victimization continues to this day.

Elizabeth H. – Solano

Elizabeth is a young woman with Down syndrome who was removed from her home over her objection and without an evidentiary hearing. She was denied the right to have an attorney of her choice. Less restrictive alternatives have not been seriously considered.

Olivia B. – Santa Barbara

Olivia is a young autistic woman who was forced to leave the school, home, and community where she had been for years. The judge did not seriously consider less restrictive alternatives. Her case is now pending on appeal.

Ashley E. – Ventura

Ashley, a young autistic woman, was removed from her mother's home. She was placed in the custody of the public guardian. The judge never once laid eyes on her. Neither did her public defender. The order was later reversed on appeal.

Anna N. – Riverside

Anna is a young woman with cerebral palsy who was ordered to have ongoing visits with her father despite Anna's insistence that he had been raping her. After months of forced visits, the order was eventually reversed on appeal.