ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR *(name):*	***FOR COURT USE ONLY***
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF *(name):* ☐ LIMITED CONSERVATEE	
NOTICE OF CONSERVATEE'S RIGHTS—PROBATE	CASE NUMBER:

When a court appoints a conservator, it grants the conservator powers to make decisions and manage the personal care, finances, or both of a person, called the *conservatee,* who cannot do those things for themselves. The conservator has legal duties to take proper care of the conservatee and the conservatee's finances and to act in the conservatee's best interest. But the conservatee does not automatically lose the right to make all decisions about their personal care or finances.

A conservatee has the right to be treated with compassion and respect, to have the conservator ask about their wishes and follow those wishes unless doing so would violate the conservator's duties, and to have the conservator inform them regularly of decisions about their affairs. All conservatees keep their basic human rights.

A conservatee has the right to ask the conservator questions about the conservator's actions and decisions. If the conservatee is not satisfied with the conservator's answers, they may contact their lawyer or, if they no longer have a lawyer, the court investigator with their concerns and complaints. The investigator's name and contact information are printed on the order of appointment that this form is attached to.

If a conservatee cannot resolve a disagreement with the conservator after working with their lawyer or the investigator, the conservatee may ask the court to review the conservator's decision or action and tell the conservator what to do. If the conservatee no longer has a lawyer and does not plan to hire one, the court will appoint one. The conservatee may also ask the court to remove the conservator or to terminate (end) the conservatorship.

Even if the conservatee never contacts the court, the court investigator will periodically visit the conservatee, check on their welfare, ask about their wishes, and remind them of their rights.

A CONSERVATEE'S RIGHTS

1. After appointment of a conservator, every conservatee has the right to:
   - Receive, from the conservator, a copy of the order of appointment and pages 1 and 2 of this form;
   - Be represented by a lawyer and have the court appoint a lawyer for them;
   - Ask a judge to change the conservator;
   - Ask a judge to end the conservatorship;
   - Make or change their will; and
   - Enter into transactions, to the extent reasonable, to provide for their basic needs and those of their spouse and minor children or for the basic living expenses of their registered domestic partner.

(Conservatee's rights continued on next page)

CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF *(name)*: CONSERVATEE	CASE NUMBER:

A CONSERVATEE'S RIGHTS (continued)

2. Unless the court has limited or taken away the right, a conservatee also keeps the right to:
   - Give or withhold informed consent to medical treatment, including treatment with medication;
   - Give or withhold informed consent to medication for treatment of a major neurocognitive disorder;
   - Withhold consent to placement in a residential facility with a secured perimeter;
   - Receive visits from family and friends;
   - Receive personal mail, email, and phone calls;
   - Control whom to have social and sexual relationships with;
   - Get married or enter into a registered domestic partnership;
   - Register to vote and cast a vote in local, state, and national elections; and
   - Directly receive and control their own wages or salary.

3. A conservatee may engage in certain activities only if the court has made an order expressly allowing them. These activities may include:
   - Deciding where to live;
   - Making their own educational decisions;
   - Receiving and controlling an allowance for personal expenses; and
   - Entering into specific transactions or types of transactions as appropriate in the circumstances and subject to limits and conditions in the court order.

4. If the court has appointed a *limited conservator*, the limited conservatee keeps the right to take an action or make a decision **unless** the court has expressly given the limited conservator the power to take that action or make that decision **and** has also taken the right away from the conservatee. In particular, a limited conservatee keeps the following rights that a conservatee loses by default:
   - Making decisions about where to live;
   - Making their own educational decisions; and
   - Entering into contracts or transactions that obligate their estate.

TO THE CONSERVATEE

Within 30 days of their appointment, your *conservator* will send you a copy of the appointment order and pages 1–2 of this form. In addition, the *court* will give you information about your conservatorship on *Personalized Information for Conservatee—Probate* (form GC-342) or a similar local form. That form will describe your conservatorship; give the name and contact information of your conservator; give the role, duties, name, and contact information of the court investigator; and list the specific rights you keep in the conservatorship and the rights the court has ordered taken away from you. The form will also list any activities the court specifically ordered the conservator to allow you to engage in. The court will give you updated personalized information once a year as long as your conservatorship lasts.

(Proof of mailing on page 3 and instructions for mailing on page 4)

CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF *(name):* CONSERVATEE	CASE NUMBER:

PROOF OF DELIVERY BY MAIL

1. I am 18 years of age or older. I am the appointed conservator of the conservatee named above, the conservator's attorney, or an employee of the conservator's attorney. I am a resident of or employed in the county where the mailing occurred.

2. My residence or business address is *(specify):*

3. I mailed this *Notice of Conservatee's Rights—Probate* to each person named below, attached to a conformed copy of the order appointing a conservator (form GC-340) or a limited conservator (form GC-339) filed on *(date):* and showing the filing date and the judicial officer's signature, by enclosing it in an envelope addressed as shown below **and** *(check one):*
   a. ☐ **depositing** the sealed envelope on the date and at the place shown in item 4 with the United States Postal Service with the postage fully prepaid.
   b. ☐ **placing** the envelope for collection and mailing on the date and at the place shown in item 4 following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

4. a. Date mailed: b. Place mailed *(city, state):*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)

(SIGNATURE OF PERSON COMPLETING THIS FORM)

NAME AND ADDRESS OF EACH PERSON TO WHOM THE NOTICE AND ORDER WERE MAILED

	Name and relationship to conservatee	Address *(number, street, city, state, and zip code)*
1.	Conservatee	
2.	Attorney for conservatee	
3.	Spouse or registered domestic partner	
4.	Relationship:	
5.	Relationship:	
6.	Relationship:	
7.	Relationship:	

☐ Continued on an attachment. *(You may use form GC-341(MA) to show additional names and addresses.)*

CONSERVATORSHIP OF THE ☐ PERSON ☐ ESTATE OF *(name)*: CONSERVATEE	CASE NUMBER:

INSTRUCTIONS FOR MAILING COPIES OF *NOTICE OF CONSERVATEE'S RIGHTS—PROBATE* WITH THE ORDER APPOINTING A CONSERVATOR OR A LIMITED CONSERVATOR

1. **What to mail:** The conservator, the conservator's attorney of record, or the attorney's employee must mail a copy of this *Notice of Conservatee's Rights—Probate*, **attached to a copy of the court order** appointing a conservator or a limited conservator **showing the judicial officer's signature and the filing date**, to each person described in item 2 below.

2. **Who must receive the mailing:** The following persons must receive copies of this *Notice of Conservatee's Rights—Probate* with the appointment order.
   a. The conservatee;
   b. The conservatee's attorney;
   c. The conservatee's spouse or registered domestic partner and the following relatives within the second degree:
      (1) Parents;
      (2) Children 12 years of age or older (see item e below if there are children under the age of 12);
      (3) Grandparents;
      (4) Grandchildren 12 years of age or older (see item e below if there are grandchildren under the age of 12); and
      (5) Siblings, including half-siblings.
   d. If the conservator does not know of any spouse or registered domestic partner or second-degree relative of the conservatee, copies of this *Notice* and the appointment order must be mailed to any of the following persons known to the conservator:
      (1) The spouse or registered domestic partner of a predeceased parent of the conservatee;
      (2) Children of a predeceased spouse or predeceased registered domestic partner of the conservatee 12 years of age or older (see item e below if there are children under the age of 12);
      (3) Siblings of the conservatee's parents (that is, the conservatee's aunts and uncles), if any, or, if none, to their natural and adoptive children 12 years of age or older (see item e below if there are children under the age of 12); and
      (4) The natural and adoptive children of the conservatee's siblings 12 years of age or older (see item e below if there are children under the age of 12).
   e. If a person described above is under the age of 12, copies of this *Notice* and the appointment order must be mailed to a parent, guardian, or other person having legal custody of the person entitled to notice with whom the person entitled to notice resides.

3. **When the mailing must be completed:** The mailing described in item 1 must be completed on or before the 30th day following the filing date of the order appointing a conservator or a limited conservator.

4. **Fill out Proof of Delivery by Mail:** The conservator or the attorney of record must fill out the Proof of Delivery by Mail on page 3, including the correct addresses of the persons to receive the mailing, described in item 2, above, *before* making the copies to be mailed. If the Proof of Delivery by Mail does not have enough space for the names and addresses of all persons who will receive the mailing, the names and addresses not shown on the Proof of Delivery by Mail must be shown on one or more additional pages attached to this form. (*Attachment to Notice of Conservatee's Rights—Probate* (form GC-341(MA)) may be used for this purpose.) *After* the mailing described in item 5 below, the conservator or the attorney must date and sign the Proof of Delivery by Mail.

5. **How to mail:** The conservator, the conservator's attorney of record, or an employee of the attorney must do the following:
   a. Place copies of this *Notice of Conservatee's Rights—Probate* and conformed copies of the order appointing a conservator or a limited conservator in sealed envelopes addressed to each person named on the Proof of Delivery by Mail or attached additional pages at the address shown for that person with postage fully prepaid.
   b. Deposit (mail) the sealed envelopes with the United States Postal Service on the date and from the place (city and state) shown in item 4 of the Proof of Delivery by Mail on page 3.

6. **Filing this form:** The conservator or the attorney of record must file with the court the original *Notice of Conservatee's Rights—Probate* with a signed and dated Proof of Delivery by Mail and all attached additional address pages. **Do not attach a copy of the order appointing a conservator or a limited conservator when filing the original *Notice of Conservatee's Rights—Probate*.**

For your protection and privacy, please press the Clear button after you have printed the form.

Print Save Clear