



# Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

[www.courts.ca.gov/policyadmin-invitationstocomment.htm](http://www.courts.ca.gov/policyadmin-invitationstocomment.htm)

---

## INVITATION TO COMMENT

W25-09

---

**Title**

Probate Conservatorship and Guardianship:  
Notice of Change of Residence and Notice of  
Death

**Action Requested**

Review and submit comments by January 6,  
2025

**Proposed Effective Date**

July 1, 2025

**Proposed Rules, Forms, Standards, or Statutes**

Amend rules 7.1013 and 7.1063; revise  
forms DE-154/GC-035, GC-079,  
GC-079(MA), GC-080, GC-080(MA), and  
GC-399

**Contact**

Corby Sturges, 415-865-4507  
[corby.sturges@jud.ca.gov](mailto:corby.sturges@jud.ca.gov)

**Proposed by**

Probate and Mental Health Advisory  
Committee  
Hon. Jayne Chong-Soon Lee, Chair

---

### Executive Summary and Origin

The Probate and Mental Health Advisory Committee proposes amending two rules of court and revising six forms in response to recent legislation. Senate Bill 1106 (Stats. 2024, ch. 455) expands the duty of a conservator or guardian of the person to give notice before the change of residence of a conservatee or ward and requires a conservator to give notice, electronically if possible, of any arrangements they have made for a deceased conservatee's funeral or similar memorial service. The proposed changes would also update the rules and forms to conform to other amendments to the law, including the statutory authorization of electronic delivery of notices and other papers in specified circumstances, as well as make technical, clarifying, and conforming changes.

### Background

Existing law authorizes a conservator or guardian of the person to establish the residence of the conservatee or ward at any place within California without permission of the court, subject to the duty to select the least restrictive appropriate residence that is available and necessary to meet

*This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.*

the needs of the conservatee or ward and is in the conservatee’s or ward’s best interests.<sup>1</sup> Every time the conservator or guardian changes the residence of the conservatee or ward, they must file notice of the change with the court “within 30 days of the change” and deliver copies of the notice to specified persons.”<sup>2</sup>

In two circumstances, a conservator or guardian must take additional steps *before* changing the residence of a conservatee or ward. In the first, the conservator or guardian must file a petition and obtain the court’s permission to establish the conservatee’s or ward’s residence outside of California.<sup>3</sup> In the second, the conservator or guardian must deliver notice to specific persons at least 15 days before any proposed move of a conservatee or ward from their “personal residence” to a residence in California and file proof of service of that notice with the court.<sup>4</sup> Most of the amendments and revisions in this proposal address this second circumstance.

Existing law also requires a conservator of the person, unless the court orders otherwise, to give notice of a conservatee’s death by delivering a copy of the notice to specific persons and filing proof of delivery with the court.<sup>5</sup>

## The Proposal

Effective January 1, 2025, SB 1106 amended several sections of the Probate Code governing the notices discussed above. First, the bill amended section 2352(e)(2) to require a conservator to give notice after a conservatee’s change of residence to any person who has requested special notice of the matter under section 2700.<sup>6</sup> Second, the bill amended section 2352(e)(3) to provide that a guardian or conservator who proposes to remove the ward or conservatee from their *current residence* or personal residence and place them in another residence in California must deliver notice of the intended change to specified persons *before* the change occurs. This amendment also added a person who had requested special notice of the matter under section 2700 to the list of persons to whom the conservator must give notice.

The bill went on to amend section 2361 in three respects. First, it amended section 2361(a) to add a person who has requested special notice of the matter under section 2700 to the list of persons a conservator must notify of the conservatee’s death.<sup>7</sup> Second, it added section 2361(b)

---

<sup>1</sup> Prob. Code, § 2352(a) (ward), (b) (conservatee). All further statutory references are to the Probate Code unless otherwise specified.

<sup>2</sup> § 2352(e)(1)–(2). The council has consistently interpreted “within 30 days of the change” to require delivery and filing of the notice of change of residence no more than 30 days *after* the change. See Judicial Council of Cal., Advisory Com. Rep., *Probate: Notice of Changes of Residence of Conservatees or Wards* (Oct. 12, 2007), pp. 2–3.

<sup>3</sup> § 2352(c). See also § 2352(d) regarding required provisions of a court order granting a petition to establish the residence of a conservatee or ward outside of California.

<sup>4</sup> § 2352(e)(3).

<sup>5</sup> § 2361.

<sup>6</sup> § 2352(e)(2)(B). This amendment does not apply to a guardian’s change of a ward’s residence. *Ibid*.

<sup>7</sup> Because existing section 2361 requires delivery of notice “to all persons entitled to notice under Section 1460,” and section 1460(b)(4) requires delivery of notice to “[a]ny person who has requested special notice,” existing form

to require a conservator who has made any funeral, memorial, or burial arrangements for the deceased conservatee to give notice of the date, time, and location of those arrangements. Third, new section 2361(b) requires electronic delivery of the notice of funeral, burial, or memorial arrangements whenever possible.

Finally, SB 1106 amends section 2700 to specify that an “interested person” authorized to file a request for special notice “may include, but is not limited to, a family member of the conservatee not included in Section 1460 or a friend of the conservatee.”<sup>8</sup>

In response to the statutory amendments enacted by SB 1106 and to conform to other changes to the law, the Probate and Mental Health Advisory Committee proposes, effective July 1, 2025, amending the following rules and revising the following forms as specified below.

### **Rule 7.1013**

Amend rule 7.1013 to:

- Replace the terms “pre-move” and “post-move” with “before” and “after”;
- Divide subdivision (a) into three paragraphs, replace references to mailing of notice with references to delivery using one of the methods authorized by section 1215,<sup>9</sup> add to the list of mandated recipients a person who has requested special notice of the matter under section 2700, add as paragraph (3) the requirement currently in subdivision (e) to describe the circumstances requiring a notice period shorter than 15 days, delete gender-specific language, and make technical and conforming changes;
- Delete subdivision (b), which defines “personal residence” for purposes of this rule, because the distinction between “residence” and “personal residence” is no longer material to the duty to give notice before or after a change of residence;
- Redesignate subdivision (c) as (b), replace references to “mailing” with references to “delivery,” and make conforming changes;

---

GC-399 already directs the conservator or guardian to arrange for delivery of notice to any person who had requested special notice under section 2700.

<sup>8</sup> For a definition of “interested person” applicable to the whole Probate Code, see section 48. For additional specification of the sense of the term as applied to division 4 of the code, see section 1424. The intent of specification of a family member not included in section 1460 as an interested person is obscure, given that section 2700 authorized “any relative” of the conservatee to request special notice. Nevertheless, the legislative intent to authorize the conservatee’s family members and friends to file requests for special notice is clear.

<sup>9</sup> [Assembly Bill 976](#) (Stats. 2017, ch. 319) amended section 1215 to authorize three methods of delivering notices and other papers—by mail, by personal delivery, and by electronic delivery—in the absence of express provision otherwise and amended almost all references in the Probate Code that referred to mailing of notice to require delivery “pursuant to section 1215” instead. As rules and forms have been updated, the committee has phased in the replacement of mailing with delivery using one of the methods authorized by section 1215.

- Delete subdivision (d), which defines “residence” for purposes of notice after a change as the ward’s “residence at any time after appointment of a guardian” because the distinction between “residence” and “personal residence” is no longer material to the duty to give notice before or after a change of residence;
- Redesignate subdivision (e) as (c), delete the last sentence in paragraph (1) regarding the requirement to describe the circumstances requiring a notice period shorter than 15 days, and make technical and conforming changes;
- Redesignate subdivision (f) as (d) and make technical and conforming changes; and
- Redesignate subdivision (g) as (e), replace “mailed” with “delivered, and make a technical change.

**Rule 7.1063**

Amend rule 7.1063 to:

- Replace the terms “pre-move” and “post-move” with “before” and “after”;
- Divide subdivision (a) into three paragraphs, replace references to mailing of notice with references to delivery using one of the methods authorized by section 1215, require delivery of notice at least 20 days before the date of the proposed change, replace the reference to relatives named in the petition for appointment with a reference to specific relatives to account for the possibility that one or more relatives may have died or otherwise become unavailable since the petition was filed, add to the list of mandatory recipients a person who has requested special notice of the matter under section 2700, add to paragraph (3) the requirement currently in subdivision (e) to describe the circumstances requiring a notice period shorter than 15 days, delete gender-specific language, and make technical and conforming changes;
- Delete subdivision (b), which defines “personal residence” for purposes of this rule because the distinction between “residence” and “personal residence” is no longer material to a conservator’s duty to give notice before or after a change of residence, and move paragraphs (1) and (2) to new subdivision (f);
- Redesignate subdivision (c) as (b), replace references to “mailing” with references to “delivery,” replace the reference to relatives named in the petition for appointment with a reference to specific relatives to account for the possibility that one or more relatives may have died or otherwise become unavailable since the petition was filed, add to the list of mandatory recipients a person who has requested special notice of the matter under section 2700, and make conforming changes;
- Redesignate subdivision (d) as (c), delete the definition of “residence” because the distinction between “residence” and “personal residence” is no longer material to a

conservator's duty to give notice before or after a change of residence, and add a list of changes that count as a change of residence;

- Redesignate subdivision (e) as (d), delete the last sentence in paragraph (1) regarding the requirement to describe the circumstances requiring a notice period shorter than 15 days, and make technical and conforming changes;
- Redesignate subdivision (f) as (e) and make technical changes; and
- Add new subdivision (f) to retain the definition of a conservatee's "personal residence" and add language explaining that the definition is provided for purposes of determining the least restrictive appropriate residence available and necessary to meet the needs of the conservatee, as required by section 2352.5(a)–(b).

***Request for Special Notice (form DE-154/GC-035);***

Revise this form to:

- Reorganize the list in item 2 of matters of which a person may request special notice;
- Add to item 3 the option to request electronic delivery of special notice and prompt the requesting person to provide to the conservator or other fiduciary the information needed as a condition of electronic delivery to promote compliance with the requirement of electronic delivery, if possible, in section 2361(b);
- Clarify the requirements for delivering and filing the request in the note on page 2 and delete the "admission of service"; and
- Indicate that the form was adopted for mandatory use, effective January 1, 2000.<sup>10</sup>

***Pre-Move Notice of Proposed Change of Personal Residence of Conservatee or Ward (form GC-079)***

Revise this form to:

- Retitle it as *Notice Before Proposed Change of Residence of Conservatee or Ward*;
- Update the instructions to conform to the law as amended, separate paragraph (1) into two paragraphs and place the instructions on how to deliver the form in new paragraph (2), delete the limit of the requirement of notice after a change of residence to changes within California, and make technical and clarifying changes;

---

<sup>10</sup> See Judicial Council of Cal., Probate and Mental Health Task Force Rep., *Legal Forms—Adopting All Probate Forms as Mandatory Forms* (Sept. 15, 1999).

- Update item 4 to indicate the different notice periods in conservatorships (20 days) and guardianships (15 days) and to clarify the instructions to explain the emergency that necessitates a shorter notice period;
- Retitle page 2 as *Proof of Delivery by Mail* and make conforming changes; and
- Make additional technical and clarifying changes.

**Attachment to Pre-Move Notice of Proposed Change of Personal Residence of Conservatee or Ward (form GC-079(MA))**

Revise this form to update the cross-reference to retitled form GC-079.

**Post-Move Notice of Change of Residence of Conservatee or Ward (form GC-080)**

Revise this form to:

- Retitle it *Notice After Change of Residence of Conservatee or Ward*;
- Update the instructions to conform to the law as amended, delete the limit of the requirement to give notice after a change of residence to changes within California, structure paragraphs (1) and (2) to the extent possible to parallel the same paragraphs in the instructions to form GC-079, and make technical and clarifying changes;
- Expand the declaration in item 3 that the new residence is “the least restrictive appropriate residence that is available and necessary to meet the conservatee’s needs and is in the conservatee’s best interests” to apply to a guardian’s change of a ward’s residence, as required by section 2352(e)(1);<sup>11</sup>
- Retitle page 2 as *Proof of Delivery by Mail* and make conforming changes; and
- Make additional technical and clarifying changes.

**Attachment to Post-Move Change of Residence of Conservatee or Ward (form GC-080(MA))**

Revise this form to update the cross-reference to retitled form GC-080.

**Notice of the Conservatee’s Death (form GC-399)**

Revise this form to:

- Add item 2 for use to give notice of any funeral or burial arrangements that a conservator has made for a deceased conservatee;

---

<sup>11</sup> Assembly Bill 1340 (Stats. 2008, ch. 293, § 8) amended section 2352(e)(1) to apply the declaration requirement to a guardian’s change of a ward’s residence. The council did not then revise form GC-080 to reflect that change in the law. The committee proposes that it do so now.

- Replace the proof of delivery by mail on page 2 with a proof of electronic delivery to reflect the preference in new section 2361(b) for electronic delivery; and
- Make additional technical and clarifying changes.

The proposed rules are attached at pages 9–15. The forms are attached at pages 16–25.

### **Alternatives Considered**

The committee did not consider the alternative of taking no action because the revisions are required to implement statutory changes affecting the duties of court-appointed conservators and guardians and to bring the forms into conformity with other aspects of the law.

### **Fiscal and Operational Impacts**

The only fiscal or operational impacts this proposal should have on courts or litigants are the costs of replacing outdated forms and reprogramming digital case management systems. The statutes implemented by the rule amendments and form revisions will, however, have a potentially significant operational impact on the trial courts. Courts will see an increase in the number of notices delivered and filed before change of a conservatee’s or ward’s residence. These notices may generate objections, which will need to be set for hearing. Because these effects are a result of statutory amendment, they cannot be avoided.

### **Request for Specific Comments**

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

### **Attachments and Links**

1. Cal. Rules of Court, rules 7.1013 and 7.1063, at pages 9–15

2. Forms DE-154/GC-035, GC-079, GC-079(MA), GC-080, GC-080(MA), and GC-399, at pages 16–25
3. Link A: Sen. Bill 1106 (Stats. 2024, ch. 455),  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB1106](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB1106)
4. Link B: Assem. Bill 976 (Stats. 2017, ch. 319),  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201720180AB976](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB976)



Rules 7.1013 and 7.1063 of the California Rules of Court would be amended, effective July 1, 2025, to read:

1 **Rule 7.1013. Change of ward's residence (Prob. Code, § 2352)**

2  
3 **(a) ~~Pre-move notice of~~ Notice before proposed change of personal residence**  
4 **required**

5  
6 (1) Unless an emergency requires a shorter notice period ~~of notice~~, the a guardian  
7 of the person must ~~mail copies of a~~ deliver notice of an intended change of  
8 the ward's ~~personal~~ residence to ~~the~~ each persons listed below at least 15  
9 days before the date of the proposed change and then file the original notice  
10 ~~with and~~ proof of mailing delivery with the court. ~~Copies of the notice must~~  
11 ~~be mailed:~~

12  
13 (2) Notice must be delivered using one of the methods authorized by Probate  
14 Code section 1215 to:

15  
16 (1)(A) The ward, if ~~he or she~~ is 12 years of age or older;

17  
18 (2)(B) The ward's attorney of record ~~for the ward~~;

19  
20 (3)(C) The ward's parents and any former Indian custodian;

21  
22 (4)(D) Any person who had legal custody of the ward when the first  
23 petition for appointment of a guardian was filed in the proceeding;

24  
25 (5)(E) Any guardian of the ward's estate;

26  
27 (6)(F) Any person who was nominated as guardian of the ward but was not  
28 appointed ~~guardian in the proceeding~~; and

29  
30 (7)(G) The ward's tribe, if the ward is an Indian child and the ~~ward's~~  
31 tribe has intervened in the proceeding; and

32  
33 (H) Any interested person who has requested special notice of the matter  
34 under Probate Code section 2700.

35  
36 (3) If the notice is delivered less than 15 days before the intended date of the  
37 move, the conservator must describe the circumstances that require a shorter  
38 notice period.

39  
40 **(b) ~~Ward's personal residence~~**

41

1 The “ward’s personal residence” under (a) is the ward’s residence when the first  
2 petition for appointment of a guardian was filed in the proceeding.

3  
4 **(e)(b) Post-move notice of a Notice after change of residence required**

5  
6 The A guardian of the person of a minor must file a notice of any change of the  
7 ward’s residence with the court ~~within no more than~~ 30 days ~~of~~ after the date of any  
8 the change. Unless waived by the court for good cause to prevent harm to the ward,  
9 the guardian, the guardian’s attorney, or an employee of the guardian’s attorney  
10 must also ~~mail a copy of the~~ deliver notice to ~~the~~ each persons listed below and file  
11 a proof of ~~mailing with the original notice~~ delivery with the court. ~~Unless waived,~~  
12 ~~copies of the notice must be mailed to:~~

13  
14 **(1) Notice must be delivered using one of the methods authorized by Probate**  
15 **Code section 1215 to:**

- 16  
17 (1A) The ward’s attorney of record;  
18  
19 (2B) The ward’s parents and any former Indian custodian;  
20  
21 (3C) Any person who had legal custody of the ward when the first petition  
22 for appointment of a guardian was filed in the proceeding;  
23  
24 (4D) Any guardian of the ward’s estate;  
25  
26 (5E) Any person who was nominated as guardian of the ward but was not  
27 appointed ~~guardian in the proceeding~~; and  
28  
29 (6F) The ward’s tribe, if the ward is an Indian child and the ward’s tribe has  
30 intervened in the proceeding.

31  
32 **(d) Ward’s residence**

33  
34 The “ward’s residence” under (c) is the ward’s residence ~~at any time after~~  
35 ~~appointment of a guardian.~~

36  
37 **(e)(c) Use of Judicial Council forms GC-079 and GC-080**

- 38  
39 (1) ~~The Pre-Move~~ A guardian must use Notice of Before Proposed Change of  
40 Personal Residence of Conservatee or Ward (form GC-079) ~~must be used~~ for  
41 the ~~pre-move~~ notice required under (a) and Probate Code section 2352(e)(3)  
42 before a change of residence. The guardian, the guardian’s attorney, or an  
43 employee of the attorney may complete ~~the mailing~~ delivery of notice and, if

1 applicable, sign and file the proof of mailing delivery by mail on page 2 of  
2 the form. ~~If the notice is mailed less than 15 days before the date of the move~~  
3 ~~because an emergency requires a shorter period of notice, the basis for the~~  
4 ~~emergency must be stated in the notice.~~

- 5  
6 (2) ~~The Post Move~~ A guardian must use *Notice of After Change of Residence of*  
7 *Conservatee or Ward* (form GC-080) ~~must be used~~ for the ~~post-move~~ notice  
8 required under ~~(e)(b)~~ and Probate Code section 2352(e)(1) and (2) after a  
9 change of residence. The guardian, the guardian's attorney, or an employee  
10 of the attorney may complete ~~the mailing delivery of notice and, if~~  
11 applicable, sign and file the proof of mailing delivery by mail on page 2 of  
12 the form.

13  
14 **~~(f)(d)~~ Prior Court approval required to before establishing ward's residence outside**  
15 **California**

16  
17 Notwithstanding any other provision of this rule, ~~prior~~ court approval is required  
18 before a guardian may establish a ward's residence ~~may be established~~ outside the  
19 state of California.

20  
21 **~~(g)(e)~~ Wards 18 to 20 years of age**

22  
23 For a ward who is at least 18 but not yet 21 years of age, ~~a copy of any~~ notice under  
24 this rule must be ~~mailed~~ delivered only to the ward and the ward's attorney of  
25 record.

26  
27  
28 **Rule 7.1063. Change of conservatee's residence; determination of level of care**  
29 **(Prob. Code, §§ 2352, 2352.5)**

30  
31 **~~Pre-move notice of~~ Notice before proposed change of personal residence**  
32 **required**

33  
34 (1) Unless an emergency requires a shorter notice period ~~of notice~~, the a  
35 conservator of the person must ~~mail copies of a~~ deliver notice of an intended  
36 change of the conservatee's ~~personal~~ residence to ~~the~~ each persons listed  
37 below at least ~~15~~ 20 days before the date of the proposed change, and file the  
38 original notice form with and proof of mailing delivery with the court. ~~Copies~~  
39 ~~of the notice must be mailed to:~~

40  
41 (2) Notice must be delivered using one of the methods authorized in Probate  
42 Code section 1215 to:

- 1           (1)(A)     The conservatee;
- 2
- 3           (2)(B)     The conservatee’s attorney of record;
- 4
- 5           (3)(C)     The conservatee’s spouse or registered domestic partner; ~~and~~
- 6
- 7           (4)(D)     The conservatee’s relatives ~~named in the *Petition for*~~  
8                     ~~*Appointment of Probate Conservator* (form GC 310), including within~~  
9                     the second degree or—if the conservator does not know of any spouse,  
10                    domestic partner, or relatives within the second degree—the  
11                    conservatee’s “deemed relatives” under Probate Code section  
12                    1821(b)(1)–(4) ~~if the conservatee has no spouse or registered domestic~~  
13                    ~~partner and no second-degree relatives.; and~~
- 14
- 15           (E)     Any interested person who has requested special notice of the matter  
16                    under Probate Code section 2700.

17

18       (3)     If the notice is delivered less than 15 days before the intended date of the  
19             move, the conservator must describe the circumstances that require a shorter  
20             notice period.

21

22   **(b)   Conservatee’s personal residence**

- 23
- 24       (1)     ~~The “conservatee’s personal residence” under (a) is the residence the~~  
25             ~~conservatee understands or believes, or reasonably appears to understand or~~  
26             ~~believe, to be his or her permanent residence on the date the first petition for~~  
27             ~~appointment of a conservator was filed in the proceeding, whether or not the~~  
28             ~~conservatee is living in that residence on that date. A residential care facility,~~  
29             ~~including a board and care, intermediate care, skilled nursing, or secured~~  
30             ~~perimeter facility, may be the conservatee’s personal residence under this~~  
31             ~~rule.~~
- 32
- 33       (2)     ~~If the conservatee cannot form or communicate an understanding or belief~~  
34             ~~concerning his or her permanent residence on the date the first petition for~~  
35             ~~appointment of a conservator was filed in the proceeding, his or her personal~~  
36             ~~residence under this rule is the residence he or she last previously understood~~  
37             ~~or believed, or appeared to understand or believe, to be his or her permanent~~  
38             ~~residence.~~
- 39
- 40       (3)     ~~For purposes of this rule, the following changes of residence are or are not~~  
41             ~~changes of the conservatee’s personal residence, as indicated:~~
- 42

1 (A) ~~A move from the conservatee’s personal residence under this rule to a~~  
2 ~~residential care facility or other residence is a change of the~~  
3 ~~conservatee’s personal residence under (a).~~

4  
5 (B) ~~A move from a residential care facility or other residence to another~~  
6 ~~residence that is not the conservatee’s personal residence under this~~  
7 ~~rule is a change of the conservatee’s personal residence under (a).~~

8  
9 (C) ~~A move from a residential care facility or other residence to the~~  
10 ~~conservatee’s personal residence under this rule is not a change of the~~  
11 ~~conservatee’s personal residence under (a).~~

12  
13 ~~(e)(b)~~ **Post-move notice of a Notice after change of residence required**

14  
15 The A conservator of the person must file a notice of a change of the conservatee’s  
16 residence with the court ~~within no more than~~ 30 days of after the date of the  
17 change. Unless waived by the court for good cause to prevent harm to the  
18 conservatee, the conservator must ~~mail a copy of the~~ deliver notice to ~~the~~ each  
19 persons named below and file a proof of mailing delivery with the ~~original notice~~  
20 ~~filed with the court. Unless waived, the notice must be mailed to:~~

- 21  
22 (1) The conservatee’s attorney of record;  
23  
24 (2) The conservatee’s spouse or registered domestic partner, if any; and  
25  
26 (3) The conservatee’s relatives ~~named in the *Petition for Appointment of Probate*~~  
27 ~~*Conservator* (form GC-310), including~~ within the second degree or—if the  
28 conservator does not know of any spouse, domestic partner, or relatives  
29 within the second degree—the conservatee’s “deemed relatives” under  
30 Probate Code section 1821(b)(1)–(4) if the conservatee has no spouse or  
31 registered domestic partner and no second-degree relatives.; and  
32  
33 (4) Any interested person who has requested special notice of the matter under  
34 Probate Code section 2700.

35  
36 ~~(d)(c)~~ **Conservatee’s residence**

37  
38 The ~~“conservatee’s residence”~~ under (c) is the conservatee’s residence at any time  
39 after appointment of a conservator.

- 40  
41 (1) For purposes of this rule, the following changes count as changes of the  
42 conservatee’s residence:

- 1 (A) From a private residence to another private residence.
- 2
- 3 (B) From a private residence to a residential care facility.
- 4
- 5 (C) From a residential care facility to a private residence.
- 6
- 7 (D) From a residential care facility to another residential care facility.
- 8

9 (2) The list in (1) is not intended to be exhaustive.

10  
11 **(e)(d) Use of Judicial Council forms GC-079 and GC-080**

- 12
- 13 (1) ~~The Pre-Move~~ A conservator must use Notice of Before Proposed Change of  
14 Personal Residence of Conservatee or Ward (form GC-079) must be used for  
15 the pre-move notice required under (a) and Probate Code section 2352(e)(3)  
16 before a change of residence. The conservator, the conservator’s attorney, or  
17 an employee of the attorney may complete ~~the mailing~~ delivery of notice and,  
18 if applicable, sign and file the proof of Mailing delivery by mail on page 2 of  
19 the form. ~~If the notice is mailed less than 15 days before the date of the move~~  
20 ~~because an emergency requires a shorter period of notice, the basis for the~~  
21 ~~emergency must be stated in the notice.~~
- 22
- 23 (2) ~~The Post-Move~~ A conservator must use Notice of After Change of Residence  
24 of Conservatee or Ward (form GC-080) must be used for the post-move  
25 notice required under (e) (b) and Probate Code section 2352(e)(1) and (2)  
26 after a change of residence. The conservator, the conservator’s attorney, or an  
27 employee of the attorney may complete ~~the mailing~~ delivery of notice and, if  
28 applicable, sign and file the proof of Mailing delivery by mail on page 2 of  
29 the form.

30  
31 **(f)(e) Prior Court approval required to before establishing conservatee’s residence**  
32 **outside California**

33  
34 Notwithstanding any other provision of this rule, ~~prior~~ court approval is required  
35 before a conservator may establish a conservatee’s residence ~~may be established~~  
36 outside the state of California.

37  
38 **(f) Personal residence (Prob. Code, §§ 2352, 2352.5)**

- 39
- 40 (1) The “conservatee’s “personal residence,” ~~under (a) for purposes of~~  
41 determining the least restrictive appropriate residence available and necessary  
42 to meet the needs of the conservatee, is the residence the conservatee  
43 understands or believes, or reasonably appears to understand or believe, to be

1 ~~his or her~~ the conservatee's permanent residence on the date the first petition  
2 for appointment of a conservator ~~was~~ is filed in the proceeding, regardless of  
3 ~~whether or not~~ the conservatee is living in that residence on that date. ~~A~~ The  
4 conservatee's personal residence may be a residential care facility, including:

5  
6 (A) A board-and-care home;

7  
8 (B) An intermediate-care facility;

9  
10 (C) A skilled-nursing facility; or

11  
12 (D) A secured-perimeter facility, ~~may be the conservatee's personal~~  
13 ~~residence under this rule.~~

- 14  
15 (2) If the conservatee cannot form or communicate an understanding or belief  
16 concerning ~~his or her~~ their permanent residence on the date the first petition  
17 for appointment of a conservator was filed in the proceeding, ~~his or her~~ then  
18 the conservatee's personal residence ~~under this rule~~ is the residence ~~he or she~~  
19 ~~last previously~~ the conservatee most recently understood or believed, or  
20 appeared to understand or believe, to be ~~his or her~~ the conservatee's  
21 permanent residence.

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  <b>DRAFT 110624          Not approved by          the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
MATTER OF (name):  <input type="checkbox"/> DECEDENT <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR <input type="checkbox"/> TRUST	
<b>REQUEST FOR SPECIAL NOTICE</b>	CASE NUMBER:

1. a.  I am a person interested in this proceeding.  
 b.  I am the attorney for a person interested in this proceeding (specify name of interested person):

2. I request special notice of the following matters (check each applicable box):

- a.  All matters for which special notice may be requested (Do not check boxes (b)–(i).)
- b.  Inventories and appraisals of property, including supplements
- c.  Accountings
- d.  Reports of the status of administration
- e.  Objections to an appraisal
- f.  Petitions for the sale of property
- g.  Spousal Property Petition (form DE-221) (Prob. Code, § 13650)
- h.  Other petitions:
  - (1)  All petitions
  - (2)  The following petitions (specify):

i.  Other matters (specify):

3. Deliver notice  electronically (form EFS-005-CV is attached or separately filed and served in this case)  by mail to

- a.  the interested person at the following address (specify):
  
- b.  the attorney at the following address (specify):

Date: \_\_\_\_\_

(TYPE OR PRINT NAME) ▶ (SIGNATURE)

Attorney for person requesting special notice  
 (client's name):



MATTER OF ( <i>name</i> ):	CASE NUMBER:
----------------------------	--------------

**NOTE:** You must have your request delivered to the personal representative, conservator, guardian, or trustee, or to that person's attorney. A proof of delivery must accompany this *Request for Special Notice* when it is filed with the court. This page provides a proof of delivery by mail. To show personal delivery, you may use *Proof of Personal Service—Civil* (form POS-020). To show electronic delivery, you may use *Proof of Electronic Service* (form POS-050).

**PROOF OF DELIVERY BY MAIL**

1. I am over the age of 18 and not a party to this case. I am a resident of or employed in the county where the mailing occurred.
2. My residence or business address is (*specify*):
  
3. I **delivered** the foregoing *Request for Special Notice* to each person named below by enclosing a copy in an envelope addressed as shown below AND
  - a.  **depositing** the sealed envelope 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' 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 of deposit: \_\_\_\_\_ b. Place of deposit (*city and state*): \_\_\_\_\_

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

Date: \_\_\_\_\_

_____ (TYPE OR PRINT NAME)	▶	_____ (SIGNATURE OF DECLARANT)
-------------------------------	---	-----------------------------------

**NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED**

List of names and addresses continued in attachment.

ATTORNEY OR PARTY WITHOUT ATTORNEY <span style="float:right">STATE BAR NUMBER:</span> NAME: FIRM NAME: STREET ADDRESS: CITY: <span style="float:right">STATE: ZIP CODE:</span> TELEPHONE NO.: <span style="float:right">FAX NO.:</span> EMAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>  <b>DRAFT 110624</b> <b>Not approved by</b> <b>the Judicial Council</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
<input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> GUARDIANSHIP OF THE PERSON <input type="checkbox"/> AND ESTATE OF (name): <span style="float:right"><input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR</span>	
<b>NOTICE BEFORE PROPOSED CHANGE OF RESIDENCE OF</b> <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> WARD (name):	CASE NUMBER:

**INFORMATION FOR CONSERVATOR OR GUARDIAN OF THE PERSON**

- (1) **At least 20 days before** a proposed change of a conservatee's residence **OR at least 15 days before** a proposed change of a ward's residence (unless you can show that an emergency requires a shorter time), you must give notice of the proposed change to the conservatee or, if 12 years of age or older, the ward; the conservatee's or ward's attorney; any interested person who has requested special notice of the matter under Probate Code section 2700; and **(a) in a conservatorship**, the conservatee's spouse or registered domestic partner and the conservatee's relatives within the second degree or—if you do not know of any spouse, registered domestic partner, or second-degree relative—then the persons named in Probate Code section 1821(b)(1)–(4) as the conservatee's "deemed relatives"; or **(b) in a guardianship**, the ward's parents, any person who had legal custody of the ward when the first petition for appointment of a guardian was filed in this case, any guardian of the ward's estate, and any person who was nominated but not appointed as guardian of the ward.
- (2) **Use this form for the notice described in (1).** Deliver a copy of the completed form to each person in (1), as applicable. File the original completed form and proof of delivery with the court. See page 2 of this form for a proof of delivery by mail. (See Cal. Rules of Court, rules 7.1013 (ward), 7.1063 (conservatee).) If you are guardian of more than one ward in this case, deliver and file a separate notice for each ward who will move.
- (3) You must also give notice to the court and other persons **after** any change to the conservatee's or ward's residence. **Do not use this form for that notice.** Instead, use *Notice After Change of Residence of Conservatee or Ward* (form GC-080). (See Cal. Rules of Court, rules 7.1013 (ward), 7.1063 (conservatee).)
- (4) **Note:** You must obtain the court's *permission* before you place the conservatee or ward in a new residence outside of California.

**NOTICE IS GIVEN** as follows:

- 1. I plan to change the residence of the conservatee or ward named above on (date of proposed change):
- 2. The conservatee's or ward's residence address after the change will be (street address, including residence or facility name and room or apartment number, if any, and city, county, and zip code):
- 3. The new residence will be a (describe type of residence or facility, for example, single family home; apartment or condominium; board-and-care home; intermediate-care facility; or skilled-nursing facility):
- 4.  I cannot give at least **20 days'** notice of the proposed change (conservatee) or at least **15 days'** notice of the proposed change (ward) because (explain why the conservatee or ward must change residences before the end of the notice period):

Continued on Attachment 4. (Give the case name and number and the title of this form at the top of the attached page.)

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 CONSERVATOR OR GUARDIAN)		(SIGNATURE OF CONSERVATOR OR GUARDIAN)
---	--	--



<input type="checkbox"/> CONSERVATORSHIP	<input type="checkbox"/> GUARDIANSHIP	OF THE PERSON	<input type="checkbox"/> AND ESTATE	CASE NUMBER:
OF (name):				
		<input type="checkbox"/> CONSERVATEE	<input type="checkbox"/> MINOR	

**ATTACHMENT TO NOTICE BEFORE PROPOSED CHANGE OF RESIDENCE OF CONSERVATEE OR WARD**

*(This attachment is for use with form GC-079.)*

**NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED**

<u>Name and relationship to conservatee or ward</u>	<u>Address (number, street, city, state, and zip code)</u>
Relationship: <input type="text"/>	
Relationship: <input type="text"/>	
Relationship: <input type="text"/>	
Relationship: <input type="text"/>	
Relationship: <input type="text"/>	
Relationship: <input type="text"/>	
Relationship: <input type="text"/>	
Relationship: <input type="text"/>	
Relationship: <input type="text"/>	
Relationship: <input type="text"/>	
Relationship: <input type="text"/>	
Relationship: <input type="text"/>	
Relationship: <input type="text"/>	
Relationship: <input type="text"/>	
Relationship: <input type="text"/>	

<p>ATTORNEY OR PARTY WITHOUT ATTORNEY STATE BAR NUMBER:</p> <p>NAME:</p> <p>FIRM NAME:</p> <p>STREET ADDRESS:</p> <p>CITY: STATE: ZIP CODE:</p> <p>TELEPHONE NO.: FAX NO.:</p> <p>EMAIL ADDRESS:</p> <p>ATTORNEY FOR (name):</p>	<p>FOR COURT USE ONLY</p> <p><b>DRAFT 110624</b></p> <p><b>Not approved by</b></p> <p><b>the Judicial Council</b></p>
<p><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b></p> <p>STREET ADDRESS:</p> <p>MAILING ADDRESS:</p> <p>CITY AND ZIP CODE:</p> <p>BRANCH NAME:</p>	
<p><input type="checkbox"/> CONSERVATORSHIP <input type="checkbox"/> GUARDIANSHIP OF THE PERSON <input type="checkbox"/> AND ESTATE</p> <p>OF (name): <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR</p>	
<p style="text-align: center;"><b>NOTICE AFTER CHANGE OF RESIDENCE OF</b></p> <p><input type="checkbox"/> CONSERVATEE <input type="checkbox"/> WARD (name):</p>	<p>CASE NUMBER:</p>

**INFORMATION FOR CONSERVATOR OR GUARDIAN OF THE PERSON**

- (1) Every time the conservatee or ward changes residences, you must, no more than 30 days after the change, file notice of the change with the court and, unless the court excuses you for good cause to prevent harm to the conservatee or ward, deliver notice to the conservatee's or ward's attorney and (a) in a conservatorship, the conservatee's spouse or registered domestic partner and the conservatee's relatives within the second degree or—if you do not know of any spouse, registered domestic partner, or second-degree relative—then the persons named in Probate Code section 1821(b)(1)–(4) as the conservatee's "deemed relatives," and any interested person who has requested special notice of the matter under Probate Code section 2700; or (b) in a guardianship, the ward's parents, any person who had legal custody of the ward when the first petition for appointment of a guardian was filed in this case, any guardian of the ward's estate, and any person who was nominated but not appointed as guardian of the ward.
- (2) Use this form for the notice described in (1). File the completed form with the court. Deliver a copy of the completed form to each appropriate person in (1). Do not deliver a copy to the conservatee or ward. File proof of delivery with the court. There is a proof of delivery by mail on page 2 of this form. (See Cal. Rules of Court, rules 7.1013 (ward), 7.1063 (conservatee).) If you are guardian of more than one ward in this case, file and deliver a separate notice for each ward who moved.
- (3) You must also give notice before any change the conservatee's or ward's residence. Do not use this form for that notice. Instead, use Notice Before Proposed Change of Residence of Conservatee or Ward (form GC-079). (See Cal. Rules of Court, rules 7.1013 (ward), 7.1063 (conservatee).)
- (4) Note: You must obtain the court's permission before you place the conservatee or ward in a new residence outside of California.

**NOTICE IS GIVEN** as follows:

- 1. On (date): \_\_\_\_\_, the conservatee or ward named above changed residences to the location in item 2.
- 2. New residence (name (if facility), street address, city, county, and zip code):

Telephone number: \_\_\_\_\_ Other contact telephone number, if any (if none, write "None"):

Email address: \_\_\_\_\_

- 3.  The new residence, identified in item 2, is the least restrictive appropriate residence that is available and necessary to meet the needs of the conservatee or ward and is in the conservatee's or ward's best interests.

Date: \_\_\_\_\_

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

---

\_\_\_\_\_  
(TYPE OR PRINT NAME OF CONSERVATOR OR GUARDIAN)

\_\_\_\_\_  
(SIGNATURE OF CONSERVATOR OR GUARDIAN)



<input type="checkbox"/> CONSERVATORSHIP	<input type="checkbox"/> GUARDIANSHIP	OF THE PERSON	<input type="checkbox"/> AND ESTATE	CASE NUMBER:
OF (name):				
		<input type="checkbox"/> CONSERVATEE	<input type="checkbox"/> MINOR	

**ATTACHMENT TO NOTICE AFTER CHANGE OF RESIDENCE OF CONSERVATEE OR WARD**

(This attachment is for use with form GC-080.)

**NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS MAILED**

Name and relationship  
to conservatee or ward

Address (number, street, city, state, and zip code)

<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	
<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> Relationship: <input style="width: 80%;" type="text"/>	

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):	<p style="text-align: center;"><i>FOR COURT USE ONLY</i></p> <p style="text-align: center;"><b>DRAFT 110624</b>  <b>Not approved by</b>  <b>the Judicial Council</b></p>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CONSERVATORSHIP OF THE PERSON <input type="checkbox"/> AND ESTATE OF (name): CONSERVATEE	
<p style="text-align: center;"><b>NOTICE OF CONSERVATEE'S DEATH</b>  <input type="checkbox"/> <b>AND FUNERAL ARRANGEMENTS</b></p>	CASE NUMBER:

**NOTICE is hereby given that:**

1. The conservatee named above died on (date of death):  
at (city, state):

2.  I, the undersigned conservator of the person, have made arrangements for a funeral or memorial service for the conservatee named above on (date): at (time):  
at (address):

to be immediately followed by a burial service at (address):

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 CONSERVATOR OF THE PERSON)



\_\_\_\_\_  
(SIGNATURE OF CONSERVATOR OF THE PERSON)



CONSERVATORSHIP OF THE PERSON <input type="checkbox"/> AND ESTATE OF (name): _____ CONSERVATEE	CASE NUMBER: _____
---	--------------------

**NOTE TO CONSERVATOR OF THE PERSON:**

You must deliver copies of this *Notice of Conservatee's Death* (Notice) to the conservator of the estate, the conservatee's spouse or domestic partner, and any person who has requested special notice under Probate Code section 2700. You, an employee in your practice as a professional fiduciary, your attorney in this matter, or an employee in your attorney's office should deliver this Notice electronically to each person who has expressly consented to electronic delivery by completing, delivering, and filing *Consent to Electronic Service and Notice of Electronic Service Address* (form EFS-005-CV) or an equivalent form in this proceeding. You must arrange for delivery in person or by mail to persons who have not completed form EFS-005-CV. You must show the court that copies of this Notice have been delivered in ways the law allows. You do this by completing a proof of delivery, also called "proof of service," and having the person who made the delivery sign the proof of service, which then is filed with the original Notice. This page contains a proof of delivery that may be used only to show electronic delivery. To show personal delivery, you may use *Proof of Personal Service—Civil* (form POS-020). To show delivery by mail, you may use *Proof of Service by First-Class Mail—Civil* (form POS-030).

**PROOF OF ELECTRONIC DELIVERY**

1. I am a resident of, or employed in, the county where the delivery occurred and am
  - a.  the conservator of the person.
  - b.  an employee of the conservator of the person in the conservator's practice as a professional fiduciary.
  - c.  an attorney for the conservator of the person.
  - d.  an employee in the office of an attorney for the conservator of the person of the conservatee named above.
2. My residence or business address is (specify): \_\_\_\_\_
3. My electronic service address is (specify): \_\_\_\_\_
4. I electronically delivered the foregoing *Notice of Conservatee's Death* to each person named below, as specified.

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

Date: \_\_\_\_\_

_____ <small>(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)</small>	_____ <small>(SIGNATURE OF PERSON COMPLETING THIS FORM)</small>
---	--

**NAME AND ADDRESS OF EACH PERSON TO WHOM NOTICE WAS DELIVERED**

	<u>Name of person served</u>	<u>Electronic service address</u>	<u>Date of electronic delivery</u>
1.			Date: _____
2.			Date: _____
3.			Date: _____
4.			Date: _____
5.			Date: _____
6.			Date: _____

Continued on an attachment. (You may use form POS-050(P) to show additional persons served electronically.)