



Conservatorship Timeline & Checklist

Note: This is an approximate timeline and checklist for the Probate Conservatorship process and is not intended to cover every scenario. It is the proposed conservator's responsibility to research and determine which tasks apply to each specific circumstance. For more complex situations involving an estate or conservatorships that might be challenged or contested it may be best to seek legal representation. Refer to ***Duties of Conservator and Acknowledgment of Receipt of Handbook for Conservators (JC Form #GC-348)*** for more information.



Approximate Deadlines:		Brief Description of Required Action:
<input type="checkbox"/>	File Petition for Appointment of Probate Conservator and required forms	Complete and file Petition for Appointment of Probate Conservator (JC Form #GC-310); Citation for Conservatorship (JC Form #GC-320) (Citation); Confidential Supplemental Information (JC Form #GC-312); Confidential Conservator Screening Form (JC Form #GC-314); Duties of Conservator and Acknowledgment of Receipt of Handbook for Conservators (JC Form #GC-348); Referral Information and List of Relatives (SDSC Form #PR-020).
<input type="checkbox"/>	Capacity Assessment	The proposed conservatee will need to be evaluated and the assessing clinician will need to complete a Confidential Capacity Assessment and Declaration (JC Form #GC-335). This form must be filed prior to the hearing date. Additional forms (JC Form #GC-335A and #GC-325) may also be required.
<input type="checkbox"/>	At least 30-days before Hearing Date	<u>Limited Conservatorships only</u> : Provide Notice of Hearing – Guardianship or Conservatorship (JC Form #GC-020) (Notice) to Regional Center and file proof of service.
<input type="checkbox"/>	3-weeks before Hearing Date	Submit Order Appointing Probate Conservator (JC Form #GC-340) and Letters of Conservatorship (JC Form #GC-350). For Conservatorships of Estate, submit bond, if applicable.
<input type="checkbox"/>	At least 15-days before Hearing Date	Personally serve Citation on proposed conservatee and file proof of service. Provide Notice to all relatives listed in petition and file proof of service. Provide Notice to any other interested parties, as applicable, and file proof of service. Interested parties may include Public Guardian, Public Conservator, Veterans Administration, Director of Mental Health.
<input type="checkbox"/>	Reports Prior to Hearing Date	Prior to the hearing date, the proposed conservator should receive copies of the following relevant reports that are filed in the case: Regional Center Report – In Limited Conservatorships, the Regional Center will prepare a report on the proposed conservatee and submit it to the court. Court-Appointed Attorney Report – The court will appoint an attorney to represent the proposed conservatee. The attorney will meet with the proposed conservatee and may contact other relatives. Court Investigator Report – The court will determine if a court investigation is required prior to the hearing. If one is required, a court investigator will meet with the proposed conservatee and interview parties and relatives.
<input type="checkbox"/>	Within 2-weeks from Hearing Date	Review Probate Notes on the court's website. Correct defects. Some defects may be corrected by clarifying on a Response to Probate Notes form (SDSC Form #PR-177).
<input type="checkbox"/>	Hearing Date	If there are no defects and/or objections, the Judge will grant the petition. If there are defects or if someone objects, there may be a continuance for defects to be cleared and/or objections to be filed.
<input type="checkbox"/>	After Hearing Date	Once the court grants the petition, the Order & Letters that were submitted three-weeks prior to the hearing will be reviewed for accuracy, signed by the Judge, issued by the clerk, and returned to the proposed conservator.
<input type="checkbox"/>	Within 30-days after Order issued	Serve the Notice of Conservatee's Rights (JC Form #GC-341) on the conservatee and all relatives listed in the petition. File a copy with the Proof of Mailing completed on page 3.
<input type="checkbox"/>	Within 90-days after Hearing Date	<u>Conservatorships of the Estate</u> : File an Inventory & Appraisal (JC Form #DE-160/GC-040). <u>General Conservatorships</u> : If ordered by the court, complete the online Conservatorship of the Person and/or Estate Orientation Class and file the Certificate of Completion – Conservatorship Orientation Class (SDSC Form #PR-186) with the court.
<input type="checkbox"/>	Within 120-days after Hearing Date	<u>Conservatorships of the Person</u> : File the Confidential Conservatorship Care Plan – Part 1 and Part 2 (JC Form #GC-355 & #GC-356), as applicable.
<input type="checkbox"/>	1-Year after Hearing Date	<u>All Conservatorships</u> : A review investigation will be conducted by the court investigator to ensure the needs of the Conservatee are being met. <u>Conservatorships of the Estate</u> : File an accounting.
<input type="checkbox"/>	Periodic Reviews / Accountings	<u>All Conservatorships</u> : The court investigator will return annually or biennially, as prescribed by the Probate Code and as resources permit. These visits may be unannounced. <u>Conservatorships of the Estate</u> : After the first accounting, further accountings will be required biennially, unless the court orders otherwise.
<input type="checkbox"/>	Death of Conservatee	Conservatorships are terminated by court order or upon the death of the conservatee: <u>All Conservatorships</u> : The Notice of the Conservatee's Death (JC Form #GC-399) must be completed, filed, and served. <u>Conservatorships of the Estate</u> : File the final accounting.