

HOW TO COMPLETE OVER 1,400
COMPLICATED CASES A YEAR WITH
TWO FTE'S; THE STORY OF
TECHNOLOGY AND PARTNERSHIP

Presenters:

Josh Passman, Esq.
Self-Help Clinic Coordinator, Bet Tzedek

Philip Bertenthal, Esq.
Directing Attorney, California Rural Legal Assistance

Bonnie Rose Hough, Esq.
Managing Attorney, California Administrative Office of the Courts (AOC) Center
for Families, Children & the Courts


CONSERVATORSHIP SELF-HELP

Bet Tzedek

Clinic Overview

Conservatorship Self-Help

- Probate Conservatorship/Adult Guardianship Most States
- Issues that Conservatorships Address:
 - Aging population
 - Developmentally Disabled Adults



Conservatorship Self-Help

- Why Conservatorship is a priority:
 - High Cost to Litigant
 - Few Available Resources
 - Litigants need assistance



Self-Help "Plus"

- Conservatorships particularly well suited to Self-Help under Bet Tzedek Model
 - ▣ Technically complicated
 - ▣ Complex forms
 - ▣ Significant information required
 - ▣ Generally uncontested
- Litigants do not need representation in most cases
 - ▣ Hearings last less than ten minutes



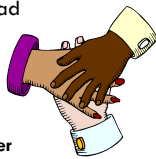
Why Self-Help "Plus"?

- Important Value Added From Self-Help "Plus"
 - ▣ Forms are complicated
 - Too many pitfalls for litigants to prepare on their own
 - ▣ Service of Notice is complicated
 - Litigants make too many errors
 - ▣ Post hearing documents are complicated
 - Litigants need assistance
 - ▣ Follow-Up
 - Changing circumstances can mean more paperwork after the hearing



Small Staff: Big Impact

- With just **two** full-time equivalent paid staff and up to **twelve** volunteers, technology allows the clinic to be broad yet efficient:
 - ▣ **1400** new litigants each year
 - ▣ **1000** new cases each year
 - ▣ Over **40%** of all petitions for Conservatorship in LA County
 - ▣ Efficient staff work rate at **3-4 hours per case**
 - ▣ Over **85% success rate** for litigants



Secrets to Success

- Innovative Use of Technology
 - Technology assists by accessing court files and for petition preparation
 - Good systems make the work flow move smoother
- Best Inside the Courthouse
 - Partnership with court helps identify issues early on
 - Hearing scheduled in conjunction with clinic schedule



Workshop Group Model

Group Model

- Meet with over 25 families at once
- English and Spanish
- PowerPoint
- Easier to Establish no Attorney-Client Relationship
- Help more people
- Help more effectively – can go into more detail
- Camaraderie amongst the families
- Families tend to help each other
- Works for Limited C-ships because similar
- Limited C-ships are over 70% of C-ships filed in LA County.
- Partnership with Court – dropping off petitions
- Incorporate Pro Bono Partners
 - Morgan Lewis, Sun America, Universal hosting clinics



Copy of Citation and Petition

Have someone over the age of 18 (**NOT YOU**) give this to proposed conservatee

Original Citation

-The person who gave the proposed conservatee the copy must fill out highlighted parts: (1) the date and time the conservatee was served, (2) the name and address of the person who served the conservatee, and (3) the date and signature.

-You must mail the form to the Probate Clerk in attached -envelope.

Regional Center Report

- ❑ The Regional Center must make a report regarding the proposed conservatee
- ❑ The court will not decide the case until this report is turned in
- ❑ You can contact the regional center to make sure they are on top of things

Notice Of Hearing

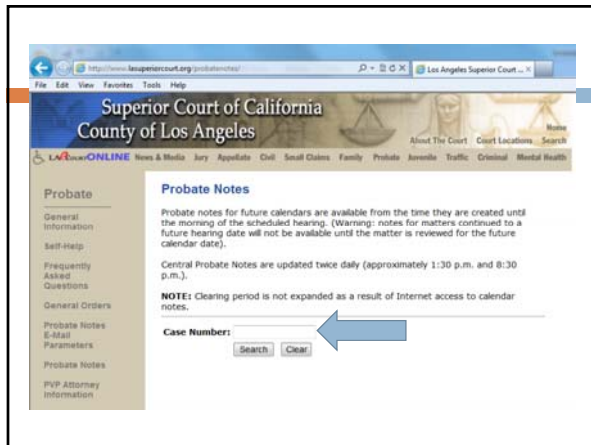
- ❑ Bet Tzedek will mail to all relatives listed on the petition a Notice of Hearing
- ❑ Bet Tzedek will also mail a Notice of Hearing to the Regional Center
- ❑ This will inform any interested person that a petition has been filed and when the hearing is

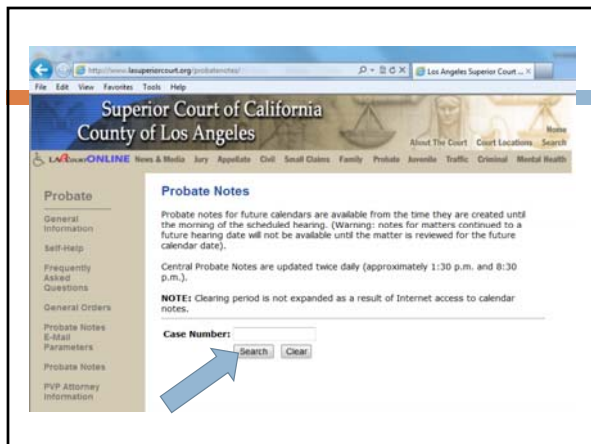
Capacity Declaration

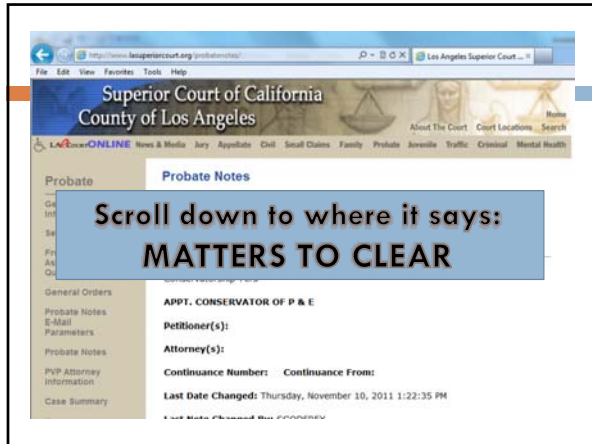
- ❑ Most likely you have already filed this
- ❑ This is the form that the doctor fills out
- ❑ If you have not submitted this form you must do so ASAP
- ❑ Your case will not be heard without it

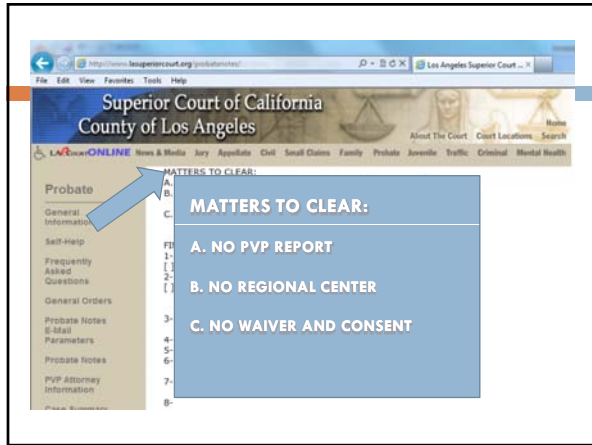
Probate Notes

- Not more than a week before your hearing you can check the Los Angeles Superior Court Website for Probate Notes
- <http://www.lasuperiorcourt.org/probatenotes/>
















Letters of Conservatorship


- Bring to the hearing.
- Ask PVP attorney to help you fill it out.
- **YOU sign.**
- Return this document to clinic.



Duties of Conservator

- Read before the hearing.
- Bring to the hearing.
- **YOU SIGN** after the hearing.
- Return this document to clinic.





**Determination of Conservatee's
Appropriate Level of Care**

- Fill out before hearing.
- Return to clinic after hearing.

Informe del Centro Regional

- ❑ El Centro Regional tiene que hacer un informe en cuanto al pupilo propuesta.
- ❑ La corte no decidirá el caso hasta que el informe esté entregado
- ❑ Ud. puede contactar el centro regional para verificar que están preparando el informe

Aviso de una Audiencia

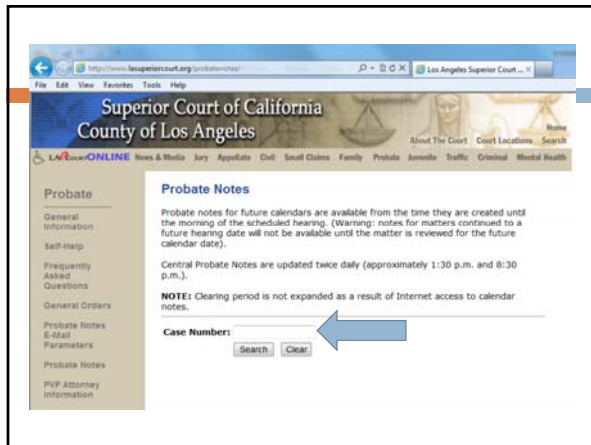
- ❑ Bet Tzedek enviará un Aviso de una Audiencia a todos los parientes indicados en la petición.
- ❑ Bet Tzedek también enviará un Aviso de una Audiencia al Centro Regional
- ❑ El Aviso informará cualquier persona interesado que un petición fue archivado con la corte y cuando sucederá la audiencia

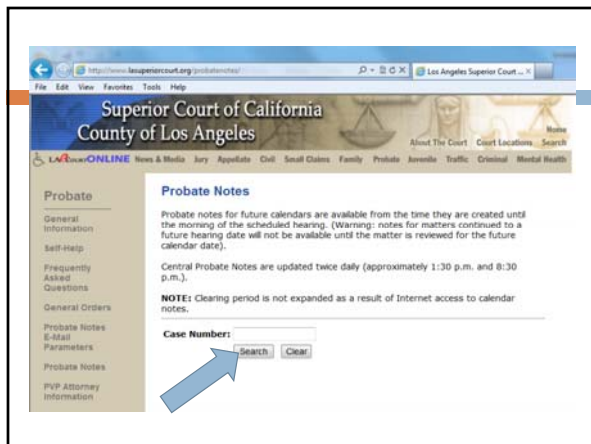
Declaración de Capacidad

- ❑ Es probable que ya ha archivado este documento
- ❑ Es el formulario que llena el doctor
- ❑ Si no ha archivado este documento tiene que archivarlo lo más antes que sea posible
- ❑ La corte no va a darle una audiencia sin el documento

Notas de la corte de sucesiones y tutelas

- Una semana antes de su audiencia Ud. puede ver notas sobre su audiencia en el sitio de web de la corte suprema de Los Angeles.
- <http://www.lasuperiorcourt.org/probatenotes/>





Superior Court of California
County of Los Angeles

Probate Notes

**Mirar hacia abajo donde dice:
MATTERS TO CLEAR (asuntos resolver)**

Attorney(s):
Continuance Number: Continuance From:
Last Date Changed: Thursday, November 10, 2011 1:22:35 PM

Superior Court of California
County of Los Angeles

MATTERS TO CLEAR:

MATTERS TO CLEAR: (Asuntos resolver)

A. NO PVP REPORT (No informe del abogado)

B. NO REGIONAL CENTER (No informe del Centro Regional)


C. NO WAIVER AND CONSENT (No renuncia y consentimiento)

Orden Nombramiento Curador

--Traer el día de la audiencia.


--Preguntar a su Abogado que le ayude a llenarla y que la firme.

--Después de eso, regresar a la clínica.




Cartas de Tutelaje


- Traer a la audiencia.
- Pregunte al abogado que le ayude a llenarlas .
- Ud. Las Firma
- Regresar a la clínica.



Deberes del Conservador

- Traer el día de la audiencia
- Firmar después de la audiencia
- Regresar a la clínica





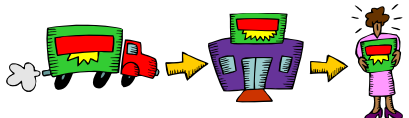
**Determinacion del Nivel de Cuidado
Adecuado del Pupilo**

- Llenar antes de audiencia.
- Regresar a la clinica después de la audiencia.

Impact Of Technology

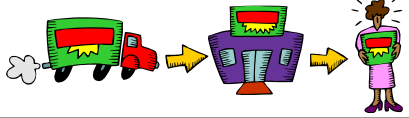
Old Process

- Preparing the forms for Conservatorship without technology:
 - ▣ Took 1-5 hours per case to prepare
 - ▣ Memo for Volunteers to Complete the forms
 - ▣ Litigants had to come back for appointment once forms processed by hand



New Process

- Customized Computer Program for Conservatorships saves **several hours of work** per case:
 - ▣ Harry Jacobs
 - ▣ Using LawHelp Interactive
 - ▣ Input simple Questionnaire into program
 - ▣ Prepare all forms in 15-30 minutes!
 - ▣ Automate all forms



Law Help Interactive “LHI” Program



Technology Means More Services

- New Pasadena Courthouse System
 - Volunteer based
 - Litigants put on the computer directly
 - Cuts out manual transfer by volunteers
 - Remote supervision by attorney to review the forms online!
 - Removes need for additional meetings with litigant

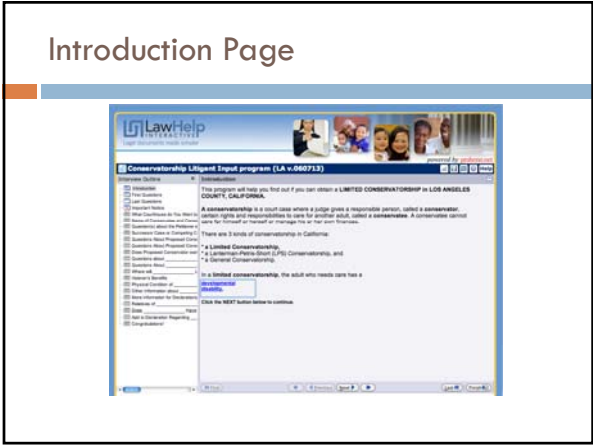
Emerging Uses of Technology

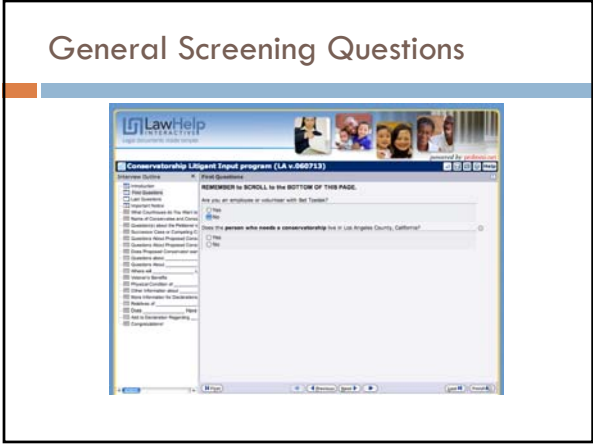
New Technologies Means Extended Reach and Greater Efficiency

- Antelope Valley
 - Very little volunteers used at the Court.
 - Litigants put on the computer
 - Remote supervision by volunteers and attorney from our office
 - More Pro Bono/Volunteers available in Urban areas than Rural areas like the Antelope Valley
 - Done by mail and the Phone
 - Now for Limited Conservatorships – will expand later to Non-Limited Conservatorships

BET TZEDEK TRIAGE PROGRAM FOR LIMITED CONSERVATORSHIPS

Road Map To Use





Directed to Help If Not from LA



Directed to Help If Not 18



Directed to Help If No Regional Center



The Future

Provide More Access to Services

- Allow litigants to start process at home, work, or other locations.
 - Fill out intake documents
 - Schedule appointments
 - Track activity on their case.
- Adds convenience, reduces errors

Expand to Other Counties

- Work with other non-profit groups and courts to make conservatorship and other services for seniors available in more counties
- This program has already been adapted by the AOC to expand to Santa Barbara

Statewide Vision

Bonnie Hough, Managing Attorney, California
Administrative Office of the Courts

Questions?

Discussion

Statewide Replication

Replication in other states?

More Information

□ Check out *Making Self-Help Work: Bet Tzedek's Conservatorship Clinic*:

□ <http://povertylaw.org/communication/advocacy-stories/bertenthal>

□ Contact:

□ Josh Passman, jpassman@bettzedek.org

□ Philip Bertenthal, pbertenthal@crla.org

□ Bonnie Hough, Bonnie.Hough@jud.ca.gov
