



JUDICIAL COUNCIL OF CALIFORNIA

GOVERNMENTAL AFFAIRS

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TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

MARTIN HOSHINO
Administrative Director

CORY T. JASPERSON
Director, Governmental Affairs

March 15, 2018

Hon. Richard Roth
Member of the Senate
State Capitol, Room 4034
Sacramento, California 95814

Subject: SB 1011 (Roth), as proposed to be amended- Support

Dear Senator Roth:

The Judicial Council is pleased to support SB 1011, as proposed to be amended (see attached copy of mockup). Among other things, the bill provides that, in addition to any other filing requirements, for a proceeding to establish a limited conservatorship for a person with developmental disabilities, the petitioner or proposed conservator *may* file any supporting evidence regarding the proposed limited conservatee, including, but not limited to, the individual program plan (IPP). SB 1011 also requires the regional center to attach to its report any assessment on which the report is based and, for a person with developmental disabilities who is a client of the regional center, a copy of the most recent IPP. In addition, the bill requires the regional center to deliver a copy of its report to the court at least 15 days (vs. five days) before the hearing on the petition.

Information contained in IPPs, individual education plans, and other assessments are very useful to the courts in determining both the appropriateness of establishing a proposed limited conservatorship for a person with developmental disabilities, as well as determining which powers should be granted to the conservator and which powers should be retained by the conservatee. Probate court representatives indicate that these reports are often not included with the petition and supporting materials that are submitted to the court in limited conservatorship cases. Evaluation reports by the regional centers do not always contain such information, and

Hon. Richard Roth

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their reports are often submitted in an untimely fashion, which gives the courts very little time to review them prior to conservatorship hearings.

Authorizing petitioners to submit IPPs and other supporting evidence, and requiring the regional centers to include such information with their reports when it is available will assist the courts in making informed decisions and providing proper oversight in limited conservatorship cases involving persons with developmental disabilities. Moreover, requiring the regional centers to deliver their reports to the courts at least 15 days before the hearings will help ensure that the reports are submitted in a timely fashion, which should facilitate better decision making in these important cases.

For these reasons, the Judicial Council is pleased to support SB 1011, as proposed to be amended.

Sincerely,

Mailed March 15, 2018

Daniel Pone
Attorney

DP/jh

cc: Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Martin Hoshino, Administrative Director, Judicial Council of California
Ms. Marisa Shea, Counsel, Senate Judiciary Committee



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April 6, 2018

Hon. Hannah-Beth Jackson, Chair
Senate Judiciary Committee
State Capitol, Room 2187
Sacramento, California 95814

Subject: SB 1011 (Roth), as amended April 2, 2018—Support
Hearing: Senate Judiciary Committee—April 24, 2018

Dear Senator Jackson:

The Judicial Council is pleased to support SB 1011. Among other things, the bill provides that, in addition to any other filing requirements, for a proceeding to establish a limited conservatorship for a person with developmental disabilities, the petitioner or proposed conservator may file any supporting evidence regarding the proposed limited conservatee, including, but not limited to, the individual program plan (IPP). SB 1011 also requires the regional center to attach to its report any assessment on which the report is based and, for a person with developmental disabilities who is a client of the regional center, a copy of the most recent IPP. In addition, the bill requires the regional center to deliver a copy of its report to the court at least 15 days (vs. five days) before the hearing on the petition.

Information contained in IPPs, individual education plans, and other assessments are very useful to the courts in determining both the appropriateness of establishing a proposed limited conservatorship for a person with developmental disabilities, as well as determining which powers should be granted to the conservator and which powers should be retained by the conservatee. Probate court representatives indicate that these reports are often not included with the petition and supporting materials that are submitted to the court in limited conservatorship cases. Evaluation reports by the regional centers do not always contain such information, and their reports are often submitted in an untimely fashion, which gives the courts very little time to review them prior to conservatorship hearings.

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Authorizing petitioners to submit IPPs and other supporting evidence, and requiring the regional centers to include such information with their reports when it is available will assist the courts in making informed decisions and providing proper oversight in limited conservatorship cases involving persons with developmental disabilities. Moreover, requiring the regional centers to deliver their reports to the courts at least 15 days before the hearings will help ensure that the reports are submitted in a timely fashion, which should facilitate better decision making in these important cases.

For these reasons, the Judicial Council is pleased to support SB 1011.

Should you have any questions or require additional information, please contact Daniel Pone at 916-323-3121.

Sincerely,

Mailed April 6, 2018

Cory T. Jasperson
Director

DP/lmb

cc: Members, Senate Judiciary Committee
Hon. Richard Roth, Member of the Senate
Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor
Ms. Marisa Shea, Counsel, Senate Judiciary Committee
Mr. Mike Petersen, Senate Republican Office of Policy
Mr. Martin Hoshino, Administrative Director, Judicial Council of California