

California Courts Use Caution in Ordering Conservatorships

By: David Pastor

<http://walnutcreekestateplanningattorney.com/>

The conservatorship process can be complex. Usually family members petition the court for the authority to assume the responsibility of caring for a loved one. A prospective conservator must not only prove the conservatee is in need of a conservator, but s/he must also prove s/he is the right person to provide the care.

When an adult is not mentally competent enough to provide self-care, s/he may be especially vulnerable to manipulation and the court takes its role of protecting vulnerable adults very seriously. The court has to make sure the person claiming to be acting in the best interests of the vulnerable adult is actually the best person for the job. Obviously the challenge for the court is find someone who will not take advantage of the vulnerable adult and someone with whom the vulnerable individual feels comfortable and respected.

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