

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):	TELEPHONE AND FAX NOS.:	FOR COURT USE ONLY
ATTORNEY FOR (Name): SUPERIOR COURT OF CALIFORNIA, COUNTY OF Humboldt STREET ADDRESS: 825 5th St. MAILING ADDRESS: CITY AND ZIP CODE: Eureka, CA 95501 BRANCH NAME:		
CONSERVATORSHIP OF THE <input type="checkbox"/> PERSON <input type="checkbox"/> ESTATE OF (Name): <input type="checkbox"/> CONSERVATEE <input type="checkbox"/> PROPOSED CONSERVATEE		CASE NUMBER:
ORDER APPOINTING COURT INVESTIGATOR <input type="checkbox"/> Conservatorship <input type="checkbox"/> Limited Conservatorship		

TO (name):

You are hereby appointed Court Investigator in the matter entitled above.

1. **Prior to appointment of a conservator** YOU ARE DIRECTED TO

- a. personally interview and inform the proposed conservatee of the contents of the citation, the nature, purpose, and effect of the proceedings, and of the right to oppose the proceeding, attend the hearing, have the matter tried by jury, be represented by counsel, and have legal counsel appointed by the court if unable to retain an attorney.
- b. determine
 - (1) whether it appears that the proposed conservatee is unable or unwilling to attend the hearing.
 - (2) whether the proposed conservatee wishes to contest the establishment of the conservatorship; and whether the proposed conservatee objects to the proposed conservator, or whether he or she prefers another person to act as conservator.
 - (3) whether the proposed conservatee wishes to be represented by counsel, and if so, whether counsel has been retained, and if not, the name of an attorney the proposed conservatee wishes to retain.
 - (4) whether the proposed conservatee desires the court to appoint legal counsel if the proposed conservatee has not retained an attorney.
 - (5) whether the appointment of legal counsel would be helpful to the resolution of the matter or is necessary to protect the interests of the proposed conservatee if the proposed conservatee does not plan to retain legal counsel and has not requested the court to appoint legal counsel.
 - (6) whether the proposed conservatee is capable of completing an affidavit of voter registration.
- c. review (i) the allegations of the petition as to why the appointment of a conservator is required and (ii) the statements in the *Confidential Supplemental Information* (form GC-312) and refer to the supplemental information in making your determinations.
- d. at least five days before the hearing, report your findings in writing to the court, including in your report the proposed conservatee's express communications concerning the following:
 - (1) representation by legal counsel;
 - (2) whether the proposed conservatee is not willing to attend the hearing, does not wish to contest the establishment of the conservatorship, and does not object to the proposed conservator or prefer that another person act as conservator.
- e. at least five days before the date set for hearing, mail a copy of your report to all of the following:
 - (1) the attorney, if any, for the petitioner;
 - (2) the attorney, if any, for the proposed conservatee;
 - (3) other persons ordered by the court (*specify names and addresses in Attachment 1e*).
- f. other (*specify in Attachment 1f*).

2. **Before the court grants an order relating to medical consent under Probate Code section 1880.** **Before the court grants an order under Probate Code section 2253 authorizing the temporary conservator to change the residence of the temporary conservatee**

YOU ARE DIRECTED TO

- a. personally interview and inform the conservatee of the contents of the petition, the nature, purpose, and effect of the proceedings, and of the right to oppose the petition, attend the hearing, and be represented by legal counsel.

(Continued on reverse)

ORDER APPOINTING COURT INVESTIGATOR
(Probate Conservatorship)

CONSERVATEE PROPOSED CONSERVATEE

2. b. determine
- (1) whether it appears that the conservatee is unable or unwilling to attend the hearing.
 - (2) whether the conservatee wishes to contest the petition.
 - (3) whether the conservatee wishes to be represented by counsel, and if so, whether counsel has been retained, and if not, the name of an attorney the conservatee wishes to retain.
 - (4) whether the conservatee desires the court to appoint legal counsel if the conservatee has not retained an attorney.
 - (5) whether the appointment of legal counsel would be helpful to the resolution of the matter or is necessary to protect the interests of the conservatee if the conservatee does not plan to retain legal counsel and has not requested the court to appoint legal counsel.
 - (6) *(for change of residence only)* determine whether the proposed change of place of residence is required to prevent irreparable harm to the conservatee and whether no means less restrictive of the conservatee's liberty will suffice to prevent the harm.
- c. at least five days before the hearing on medical consent or at least two days before the hearing on change of residence, report your findings in writing to the court, including in your report the conservatee's express communications concerning representation by legal counsel and whether the conservatee is not willing to attend the hearing and does not wish to contest the petition.
- d. at least five days before the date set for hearing on medical consent or at least two days before the hearing on change of residence, mail a copy of your report to all of the following:
- (1) the attorney, if any, for the petitioner;
 - (2) the attorney, if any, for the conservatee;
 - (3) other persons ordered by the court *(specify names and addresses in Attachment 2d)*.
- e. other *(specify in Attachment 2e)*.

3. **Duties after appointment of conservator.** YOU ARE DIRECTED TO

- a. visit and personally inform the conservatee that he or she is under a conservatorship and of the name of the conservator.
- b. determine whether the conservatee wishes to petition the court for termination of the conservatorship.
- c. determine whether the conservatee is still in need of the conservatorship.
- d. determine whether the conservatee is capable of completing an affidavit of voter registration.
- e. determine whether the conservator is acting in the best interests of the conservatee.
- f. inform the court immediately if you are unable at any time to locate the conservatee.
- g. as may be necessary, visit personally with the conservator and other persons to determine whether the conservator is acting in the best interest of the conservatee.
- h. *(if the conservator is authorized to act under Probate Code section 2356.5-dementia treatment or placement)* advise the conservatee specifically that he or she has the right to object to the conservator's powers granted under section 2356.5, to determine whether the powers are warranted, to determine whether the conservatee objects to the conservator's powers under this section, and to determine whether some change in the powers granted under this section is warranted.
- i. *(for conservatorships existing on December 31, 1980, in which the conservatee has not been adjudged incompetent)* determine whether an order should be made under Probate Code section 1873 broadening the capacity of the conservatee.
- j. determine whether the present condition of the conservatee is such that the terms of the court order under Probate Code sections 1873 or 1901 should be modified or that the order should be revoked.
- k. determine whether the conservatee still lacks the capacity to give informed consent for any form of medical treatment.
- l. *(for limited conservatorship only)* make a recommendation regarding the continuation or termination of the limited conservatorship.
- m. mail at the same time your report is certified to the court a copy to the conservator, to the attorneys of record for the conservator and conservatee, and to any other persons as ordered by the court *(specify names and addresses in Attachment 3m)*.
- n. other *(specify in Attachment 3n)*.

The visit and investigation under item 3 shall be so conducted that it is completed and your findings are certified in writing to the court not less than 15 days before the expiration of one year from the date the conservator was appointed. Visits and investigations shall be made biennially thereafter, with written findings certified to the court not less than 15 days before the date of biennial court review.

4. Number of pages attached: _____

Date:

JUDGE OF THE SUPERIOR COURT
SIGNATURE FOLLOWS LAST ATTACHMENT