

# Legal Advocacy for Limited Conservatees

A Roundtable Conference  
sponsored by the  
Disability and Abuse Project

Date and Location to be Announced

A Roundtable Conference will be held to focus on the role of court-appointed attorneys as advocates for people with developmental disabilities who become involved in the Limited Conservatorship System in Los Angeles County (and California).

Recent monitoring of the Limited Conservatorship System has revealed that attorneys appointed to represent proposed limited conservatees: (1) are not receiving adequate training prior to being added to the Probate Volunteer Panel (PVP) lists for limited conservatorship cases; (2) are not being appointed to cases on a fair rotational basis; (3) are being used by the courts to act as de-facto court investigators; (4) are not familiar with the Americans with Disabilities Act and are not providing reasonable accommodation to their clients; (5) do not know how to conduct forensic interviews of people with cognitive or communication disabilities; (6) are not aware of legal and psychological criteria for proper assessments of client capacities to make major life decisions; (8) are often acting as a de-facto guardian ad litem, by advocating for what they personally believe to be the client's best interests rather than advocating for the personal wishes of the client; (9) are not aware of the proper application of the right to effective assistance of counsel to cases involving clients with developmental disabilities; (10) are not aware of federal voting rights laws as applied to adults with developmental disabilities and are therefore not advocating for the voting rights of their clients; (11) are sometimes improperly stipulating away the social rights of their clients and are not advocating for the right of the client to refuse to associate with anyone in a social setting; (12) are publicly disclosing information obtained from clients in the attorney-client relationship; (13) are not subject to monitoring or quality assurance oversight by any agency and are not advising clients of their right to complain to the court if they are not satisfied with the attorneys performance and of their right to demand a "Marsden" hearing; and (14) are not advising clients of their right to petition the court at any time to modify the conservatorship order, to restore rights that have been restricted, and to ask the court to appoint an attorney to help them file and litigate such petitions.

Agencies and individuals will be invited to the conference that are or should be involved in: (1) monitoring or enforcing professional standards; (2) training PVP attorneys; (3) maintaining PVP appointment lists; (5) ADA compliance by the courts; (6) teaching ethics and constitutional law; (7) advocating for the rights of Regional Center clients; and (8) funding the payment of PVP attorneys. Such agencies include: (1) Probate Attorney's Office; (2) County Bar Association; (3) State Bar Association; (4) Administrative Office of the Courts; (5) Office of Clients Rights Advocacy; (6) Regional Center attorneys; (7) California Department of Justice; (8) Area Board 10; (9) Los Angeles City ADA Compliance Office; (10) Disability Rights Legal Center at Loyola Law School; and (11) PVP attorneys. Parents of conservatees and disability advocacy organizations will also be invited.

For more information, contact:

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9:30 a.m. - 9:45 a.m.	Registration (meet and greet)
9:45 a.m. - 10:00 a.m.	Overview
10:00 a.m. - 11:00 a.m.	Constitutional Rights of Conservatees and Effective Assistance of Counsel
11:00 a.m. - 12:00 p.m.	ADA Accommodations and Forensic Interviews of People with I/DD
12:00 p.m. - 1:00 p.m.	Lunch (restaurants within one block)
1:00 p.m. - 2:00 p.m.	Ethics and Professional Standards
2:00 p.m. - 3:00 p.m.	Limited Conservatorship Reform: Policy and Practice