

AudioCast Episode #2

Zealous Advocacy Webinar on November 16

Francis:

A new conservatorship reform law goes into effect on January 1, 2022. It requires attorneys who are appointed to represent adults with mental and developmental disabilities in conservatorship proceedings to provide what it calls zealous advocacy.

According to Thomas F. Coleman, legal director of Spectrum Institute, this zealous advocacy requirement could have a major impact on the so-called conservatorship system in California – pushing it toward major improvements. Coleman says that if public defenders and other court-appointed attorneys truly act as zealous advocates, they will challenge the illegal actions of judges, conservators, and other parties to these asset-devouring and civil rights infringing legal proceedings.

Audio Clip:

Current law basically leaves conservatorship defense attorneys in the dark as to what is expected of them as they represent vulnerable adults with mental and developmental disabilities. In some counties, attorneys submit reports to judges in which they violate confidences and are disloyal to their clients. Some of them tell judges their client should be put under conservatorship. Many do not explore less restrictive options such as powers of attorney or supported decision-making arrangements. Others would like to provide zealous advocacy but they are not provided sufficient funds or support staff to do so. The enactment of AB 1194 should usher in an new era of improved legal advocacy and defense if attorneys are properly educated about what the new law requires and if risk managers create a system of monitoring and accountability.

Francis:

Spectrum Institute is conducting a Zealous Advocacy webinar for attorneys, county risk managers, and court administrators for November 16 from noon to 1:00 p.m. Failure to provide clients with zealous advocacy could have legal consequences to attorneys, the counties that fund them, and the courts that appoint them. All who attend the webinar will receive a 47-page report filled with valuable information on zealous advocacy, the duties of attorneys, and the risks of noncompliance.

For information on how to register for the webinar, send an email to: tomcoleman@spectruminstitute.org That's tomcoleman@spectruminstitute.org