

# A Presentation to the Judicial Council on the Need for Reforms to Protect Seniors and Other Adults with Disabilities

Judicial Council Meeting / November 14, 2019

## **Administrative Improvements Are Long Overdue**

### **Defects in Rule 1.100**

At the last meeting of the Judicial Council, I brought to your attention major deficiencies in a court rule intended to help people with disabilities gain access to justice in judicial proceedings. I informed you that the rule, and materials on the “California Courts” website, have been misinforming judges, lawyers, litigants, and the public that ADA accommodations will only be provided by the courts in response to requests for such. I cited numerous legal authorities demonstrating that conditioning accommodations on requests violates federal law.

After that meeting, I reviewed training materials used by the Center for Judicial Education and Research to train judges and court staff about their duties under the ADA. Those materials are also erroneously premised on the need for a request in order for court users to be entitled to accommodations.

Spectrum Institute has sent a letter to the presiding judges of each of the 58 superior courts throughout the state to alert them to these deficiencies. Despite the misleading and erroneous information from the Judicial Council, local courts have a duty to follow the mandates of federal law in terms of providing accommodations to persons with known disabilities that may interfere with effective communication and meaningful participation in judicial proceedings.

### **Counting = Caring**

Last month I wrote a commentary for the Daily Journal legal newspaper titled “We Count What We Care About.” It demonstrated that the Judicial Council is not keeping track of how many probate conservatees are under the “protection” of the superior courts throughout the state. The Council is unaware of how many protectees cannot be located. The Council also has an information void regarding the size of the caseloads of court investigators and the backlog of their biennial reviews.

The California Constitution gives the Judicial Council specific authority to survey superior courts regarding their policies and practices in order to improve the administration of justice throughout the state. In a world where “counting equals caring,” I suggest that the Judicial Council should start counting in order to better protect seniors and other adults with disabilities who the superior courts have assumed the responsibility to protect.

Thomas F. Coleman, Legal Director, Spectrum Institute  
[tomcoleman@spectruminstitute.org](mailto:tomcoleman@spectruminstitute.org) / (818) 230-5156



## Disability and Guardianship Project

555 S. Sunrise Way, Suite 205 • Palm Springs, CA 92264  
(818) 230-5156 • [www.spectruminstitute.org](http://www.spectruminstitute.org)

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Superior Court of the State of California

October 14, 2019

Re: A need to reevaluate the court's duties under the ADA

Dear Presiding Judge:

I am writing to share information with you about the responsibilities of the superior court under Title II of the Americans with Disabilities Act.

I recently spoke to the Judicial Council at its meeting in Sacramento on September 24. <http://disabilityandabuse.org/tom-remarks.pdf> In connection with that presentation, I submitted a report about the need for the judicial branch to update court rules and judicial education materials to reflect the clear requirements of federal law. <http://spectruminstitute.org/ada-compliance.pdf> Current rules and materials are misleading to superior court judges, court employees, and appointed agents of the court. The implied, and sometimes express, statement that the court only has ADA responsibilities if an accommodation is requested is contrary to the requirements of Title II and Section 504 of the Rehabilitation Act of 1973. <http://spectruminstitute.org/cal-vs-feds.pdf>

Court officers and employees must provide accommodations when they become aware that a litigant has a disability that interferes with effective communications or meaningful participation in a court proceeding. A request is just one way that such knowledge is acquired. Sometimes when the need is *obvious*, such as in a conservatorship proceeding, an ADA assessment must be done *sua sponte*.

It is essential that you, your staff, and court agents are aware of this duty. ADA violations are grounds for complaints against the court with the federal Department of Justice under Title II and with the state Department of Fair Employment and Housing under Government Code Section 11135.

ADA complaints have been filed against superior courts. For example, a complaint was filed with the Sacramento Superior Court for failing to appoint counsel for respondents in conservatorship proceedings. <http://spectruminstitute.org/Sacramento/> DFEH was asked to investigate that court under Section 11135. <http://spectruminstitute.org/Sacramento/dfeh-inquiry-letter.pdf> ADA complaints were filed against the Los Angeles Superior Court with the U.S. Department of Justice. <http://spectruminstitute.org/doj/> One inquiry was opened and one complaint is still under review.

I urge you to take steps to ensure that your ADA coordinator, court investigators, probate examiners, clerical staff, and court-appointed attorneys are accurately informed of the requirements of state and federal nondiscrimination laws. Access to justice depends on court compliance with the ADA.

Respectfully,

Thomas F. Coleman  
Disability and Guardianship Project  
[tomcoleman@spectruminstitute.org](mailto:tomcoleman@spectruminstitute.org)

cc: Chief Justice Tani Cantil-Sakauye  
Hon. Gary Nadler, Chair, TCPJAC  
Mr. Corey Rada, Staff, TCPJAC



## Disability and Guardianship Project

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September 30, 2019

Honorable Tani Cantil-Sakauye  
Judicial Council of California  
350 McAllister Street  
San Francisco, CA 94102

Re: Additional Information Regarding the *Sua Sponte* ADA Duties of California Courts

To the Judicial Council:

On September 24, 2019, I made a presentation to the Judicial Council at its Sacramento meeting. I also submitted a formal request for the Judicial Council to take appropriate actions to clarify to judges and judicial staff that they do have ADA accommodation responsibilities even if no request is made. Such duties arise when a judge or court employee becomes aware that a litigant or other participant has disabilities that interfere with effective communication or meaningful participation in a legal proceeding. Rule 1.100 fails to mention that responsibility. Judicial Council website materials are misleading on that topic. One brochure flat out states that if there is no request then no accommodation will be provided.

Recently we submitted a records request to the Judicial Council asking for access to all educational materials in the possession of the Center on Judicial Education and Research that focus on the responsibilities of judges and court staff under the ADA. We received a reply in which all such materials were provided to us.

I have personally reviewed all of these materials. Individually and collectively they give the impression that judicial responsibilities under the ADA are premised on a request being made. None of them state that judges and court staff must provide an accommodation, even without a request, for known disabilities that interfere with effective communications or meaningful participation in a legal proceeding. The educational materials, taken as a whole, are contrary to the requirements of federal law. <http://spectruminstitute.org/cal-vs-feds.pdf>

Our research is complete. Our factual findings and legal arguments have been presented to the Judicial Council. It is now the responsibility of the Judicial Council to take corrective action.

Respectfully,

Thomas F. Coleman  
Legal Director  
[tomcoleman@spectruminstitute.org](mailto:tomcoleman@spectruminstitute.org)

cc: Hon. Harry E. Hull – Rules Committee  
Ms. Amber Lee Barnett – Leadership Services Division

# We Count What We Care About

By Thomas F. Coleman  
Daily Journal / Oct. 20, 2019

Bankers know to the penny how much money they are managing in their financial institution. Elections are based on the actual number of votes cast, not vague estimates. Workers know exactly how much money should be in their monthly paycheck.

Schools keep tabs on how many students are enrolled. Employers track how many workers they employ. Jailers count how many inmates they have in their custody, and whether anyone is missing. Mental hospitals know if any patients have eloped.

If we care about something, we devote attention to it. When it comes to quantity, we know the exact amount and whether it is increasing or decreasing. In terms of quality, we know the condition and whether it is improving or deteriorating.

Since I have been studying the probate conservatorship system in California which is now going on seven years, I have been asking myself an important question. How much does the judiciary care about the thousands of probate conservatees who are under its protection?

In a world of “counting equals caring” the answer appears to be that these judicial protectors are not really concerned about their protectees. Part of my opinion is based on the fact that, in terms of adults who are under an order of conservatorship, the judicial branch does not care enough to even count them.

The chief justice is not aware of how many adults are under an order of conservatorship in California. Neither is the Judicial Council. They do not know the number of new probate conservatorship petitions that are filed annually in the state. Even various estimates from the judicial branch differ

greatly when it comes to the number of probate conservatees in California.

Probate courts are sometimes referred to as “protection courts” because they are charged with protecting the lives and well-being of the individuals whom they order into conservatorships. By law, probate courts are required to send investigators out to the homes of conservatees to check into their status every two years.

Considering this mandate, and considering the vulnerability of the seniors and adults with developmental disabilities who are under the “protection” of these courts, it would seem logical – indeed imperative – that the chief justice and the Judicial Council would know how many conservatees the 58 superior courts are protecting in California. Surprisingly, they don’t.



One would think that local

courts would have an obligation to report to someone at the state level the number of conservatees who are missing. How many conservatees are these local courts unable to locate? Obviously, if a court can’t locate someone it can’t protect them.

Information that I have gathered from the Los Angeles County Superior Court suggests that there may be hundreds, if not thousands, of conservatees who are missing – who simply cannot be located by court investigators. These adults are no longer considered part of the court’s “active” inventory of probate conservatees. Just what category are these missing people placed into? “Inactive” inventory?

In 2015, the presiding judge of the probate division of the Los Angeles Superior Court told the State

Senate that the Los Angeles court had 10,000 “active” probate conservatorship cases. As I sat in the hearing room and heard this number, my ears perked up.

Data gathered by Spectrum Institute from the Department of Developmental Services earlier that year showed that, just counting adults with developmental disabilities, there were more than 12,500 such adults in open conservatorship cases in Los Angeles County. Add to that seniors and other adults and there easily could have been another 3,000 open cases in Los Angeles County. By my calculations there could have been 15,000 or more adults under the protection of the Los Angeles probate court in open conservatorship cases.

In her remarks to the Senate Judicial Committee, the presiding judge alluded to the inability of the court to properly monitor probate conservatees. She advised senators that the court was severely understaffed. The case loads of court investigators were unmanageable.

The whistle the presiding judge was blowing with her bated breath, barely audible to me, was not heard at all by the senators. Fortunately, my ears were sensitive to her encoded message because of my own prior research into these numbers. My interpretation of her testimony alarmed me: “Conservatees are missing, and the court needs more resources to find them and check on their well-being.”

Let us remember that these protectees are vulnerable adults, not old computers or other forms of devalued property being counted by court administrators. They are people who have been involuntarily ordered into the protection of the courts.

Since this many people may be unaccounted for in Los Angeles, how many probate conservatees have unknown whereabouts in the entire state?

This is a serious problem. These adults could be victims of ongoing abuse. It is imperative that a “protector” notify law enforcement when a “protectee” cannot be located. Resources should be allocated to ensure that courts know the location

and the condition of each and every adult who is under their protection.

My plea to the judiciary is simple: “Don’t pretend to protect. Actually do it.”

The first step to fixing a problem is to acknowledge there is one. This issue of missing conservatees is something that needs to be addressed, without delay, by the chief justice and the Judicial Council. The judicial branch should demonstrate that it sincerely cares about seniors and people with disabilities. For starters, it needs to begin counting the people it is protecting. The judicial branch also has a legal obligation to know where these individuals are living, and to determine their physical, medical, and psychological condition.

The judges can’t do the protecting themselves. They rely on court investigators to monitor these cases. Investigators are supposed to see conservatees in person every two years and conduct an assessment of their well-being. According to the report issued by the Senate Judiciary Committee in 2015, in some areas of the state these biennial investigations are sometimes delayed for years.

What should be done about the problem of missing conservatees, unreasonably high caseloads of court investigators, and the backlog of biennial reviews?

For starters, the chief justice should direct the Judicial Council to conduct a statewide survey of all 58 superior courts to gather information about these protectees. How many new probate conservatorship cases are filed each year? How many open cases are there? How many of these conservatees are missing? Are the statutorily-mandated biennial reviews being conducted in a timely manner? What is the caseload of each court investigator?

It is time for the judicial branch to show that it cares about probate conservatees. It should gather essential information about them. In other words, it should start counting. ♦♦♦

*Thomas F. Coleman is legal director of the Disability and Guardianship Project of Spectrum Institute. Email him at: [tomcoleman@spectruminstitute.org](mailto:tomcoleman@spectruminstitute.org)*

# Protection Court? Judges Cannot Protect People When They Cannot Find Them

by Thomas F. Coleman

Probate judges in California preside in a “court of protection” – a court with jurisdiction over people with mental illnesses or cognitive disabilities. This includes seniors and “dependent adults” who have intellectual and developmental disabilities.

When a judge enters an order declaring an adult to be a conservatee, the court is assuming the responsibility for the care and control of that individual. The judges, of course, cannot assume personal responsibility for the welfare of conservatees. The direct care and control is delegated, by court order, to a conservator.

Probate court investigators are responsible for taking pro-active steps to ensure that the conservatee is safe and receiving proper care. These investigators are required by statute to conduct home visits and investigate into the well-being of persons under the protection of the court. These visits and investigations must be done at least every two years.

A report issued in 2015 by the California Senate Judiciary Committee revealed that in some counties such investigations are so delinquent that there is a backlog of years. That is bad enough, but in Los Angeles County probate investigators are unable to perform their statutory duties in many cases because they cannot even find the conservatees. Yes, the “protection court” cannot protect these vulnerable adults because it has lost track of them.

An investigation by the Disability and Guardianship Project of Spectrum Institute suggests there may be thousands of vulnerable adults who cannot be found by the Los Angeles County Superior Court.

The problem of missing conservatees was confirmed by then Judge Maria Stratton, who at the time was the new presiding judge of the Probate Court in Los Angeles. At an oversight hearing conducted by the Senate Judiciary Committee on March 24, 2015, she disclosed the general nature of the problem but not the exact numbers of missing conservatees.

Kudos to Judge Stratton for alerting the Legislature to the problem. She inherited this mess when she

was appointed presiding judge of the Probate Court in January 2015. Admitting there is a problem is the first step toward recovery. Data from the research of Spectrum Institute suggests the Los Angeles Superior Court has a lot of recovering to do.

Judge Stratton told the Judiciary Committee that at that time the court had 10,000 conservatees in its “active” inventory. However, in 2014 the court advised Spectrum Institute that it had 13,000 active cases – 7,643 limited, 2,093 dementia, and 3,341 other. That 3,000 person gap remains unexplained.

Regional centers in Los Angeles County reported they had 12,688 adult clients under an order of conservatorship in 2014. Add several thousand seniors and other adults with cognitive disabilities and the number of adults with open conservatorship cases in Los Angeles could be as high as 16,000. But the presiding judge said there were just 10,000 active cases. Why is there such a large discrepancy?

After hearing Judge Stratton’s testimony to the Senate, Spectrum Institute asked for records from the Los Angeles County Superior Court about the number of missing conservatees. The court claimed it had no such records. That is very hard to believe.

Does the Chief Justice know the conservatorship system is so badly broken that possibly thousands of conservatees cannot be found – and that’s just in Los Angeles? How many are missing in other counties?

It is unacceptable that judicial “protectors” cannot safeguard vulnerable “protectees” because they cannot be located. The Chief Justice should ask the Judicial Council to survey all 58 superior courts to determine how many probate conservatees cannot be located in each of these jurisdictions. Such a survey is definitely in the purview of the Judicial Council. (Cal. Const. Art. VI, Sec. 6(d))

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Thomas F. Coleman is the executive director of the Disability and Guardianship Project of Spectrum Institute. Email: [tomcoleman@spectruminstitute.org](mailto:tomcoleman@spectruminstitute.org)

## How Many DDS Consumers Are Conserved and Who Are Their Conservators?

In considering the extent of conservatorship of adults with I/DD in California and the impact of conservatorship on healthcare decision-making, it is useful to quantify the number of persons under conservatorship, and who serves as conservators. The California Department of Developmental Services provides the following information regarding the legal status of consumers in its system:

Figure 2: Legal Status of DDS Consumers

Legal Status	Age 18+ yrs
No Conservator	100,979
Parent or Relative	25,500
Has Conservator - not DDS	11,597
Has Conservator - not DDS (Public Guardian)	871
Other (Has Conservator, Such as Private Conservator)	791
Ward of Court	522
Director of DDS	511
Unknown	344
Regional Center Director	168
Miscoded	1
<b>TOTAL ADULT CLIENTS</b>	<b>141,284</b>

Source: California Department of Developmental Services, July 2014

## About 40,000 Adults with Intellectual Disabilities Have Open Conservatorship Cases in California

*Information Taken from This Report:*

### **THINKING AHEAD MATTERS**

*Supporting and Improving Healthcare Decision-Making  
and End-Of-Life Planning for People  
with Intellectual and Developmental Disabilities*

August 2014  
*Updated January 2015*

Laurel A. Mildred, MSW  
*Mildred Consulting*



1331 Garden Highway, Suite 100  
Sacramento, CA 95833  
CoalitionCCC.org

# Response of DDS to Public Records Request by Spectrum Institute

Total adults served by DDS ..... 145,414  
Those who are not adult conservatees (Status 5 and Status N) ... 104,404  
Total adults with I/DD who are conservatees ..... 41,010

Los Angeles County DDS clients who are conservatees ..... 12,688 (30.9%) ←  
(ELARC + FDLRC + HRC + NLACRC + SCLARC + SGPRC + WRC) ←

Adult Regional Center Consumers (Age 18 and Up)  
Client Master File Data as of December 1, 2014

Request 1: The number of adult clients served by each regional center.

Request 2: The number of adult clients served by each regional center who are conservatees.

See table below and corresponding key on the following page.

Regional Center	Legal Status 2	Legal Status 3	Legal Status 4	Legal Status 5	Legal Status 7	Legal Status 9	Legal Status N	Legal Status R	Other	Grand Total
ACRC	125	769	54	43	3	42	7,392	2,295	67	10,790
CVRC	59	739	18	24	2	8	7,216	837	40	8,943
ELARC	39	425	8	15	21	15	2,752	1,506	24	4,805
FDLRC	3	246	15	14	49	4	2,309	1,163	8	3,811
FNRC	39	733	6	8	1	1	2,959	460	29	4,236
GGRC	40	602	10	15	-	7	3,846	535	35	5,090
HRC	24	473	42	25	1	19	3,788	1,322	16	5,710
IRC	59	224	21	53	49	15	11,445	3,272	44	15,182
KRC	4	329	27	9	9	4	3,447	251	37	4,117
NBRC	21	590	13	22	1	19	3,789	306	17	4,778
NLACRC	11	837	23	33	2	8	7,090	1,262	35	9,301
RCEB	53	452	27	45	7	19	6,127	2,899	74	9,703
RCOC	8	1,359	34	21	-	-	8,056	6	2	9,486
RCRC	62	195	-	3	2	15	1,479	245	15	2,016
SARC	51	974	25	15	4	79	4,575	1,898	25	7,646
SCLARC	81	414	45	60	2	28	4,599	910	40	6,179
SDRC	18	1,639	62	29	-	36	7,893	1,787	10	11,474
SGPRC	27	701	37	43	5	-	4,699	986	22	6,520
TCRC	47	449	25	6	1	8	4,150	1,312	37	6,035
VMRC	33	249	13	18	-	9	4,292	1,012	177	5,803
WRC	54	182	15	26	17	17	1,974	1,487	17	3,789
<b>Grand Total</b>	<b>858</b>	<b>12,581</b>	<b>520</b>	<b>527</b>	<b>176</b>	<b>353</b>	<b>103,877</b>	<b>25,751</b>	<b>771</b>	<b>145,414</b>

Legal Status Key		
<i>'Legal Status' answers the question: "Does the consumer have a judicially appointed guardian or conservator?"</i>		
Legal Status	Description	Definition
2	Public Guardian	The public guardian for the county of residence of the consumer is the consumer's conservator. (Probate Code sections 2920, 2921)
3	Has Conservator -- Not DDS	The consumer has a conservator who is not the director of the Department of Developmental Services (DDS).
4	Director of DDS	The director of DDS is appointed as either guardian or conservator of the consumer and/or estate of a consumer. (Health and Safety Code sections 416, 416.5, 416.9)
5	Court (dependent child)	A minor consumer who is adjudged by the court to be a dependent of the court because of parental issues or the child's criminal conduct. (Welfare and Institutions Code section 300 or 601)
7	Regional Center Director	The director of a regional center that is the actual probate conservator or guardian of a consumer, as contrasted with being delegated the responsibility of performing conservatorship duties by DDS when DDS is the actual conservator. (Health and Safety Code section 416.19, Probate Code sections 1500, 1514, 1801, 2351.5)
9	Unknown	
N	No Guardian/Conservator	The consumer does not have a judicially appointed guardian or conservator.
R	Consumer's Parent or Relative	A family member of the consumer has been appointed probate conservator (for an adult) or guardian (for a minor). (Probate Code sections 1500, 1514, 1801, 2351.5)
Other		The consumer has a guardian or conservator other than the possibilities above, such as a private conservator.





## Disability and Guardianship Project

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April 2, 2015

Honorable Maria Stratton  
Presiding Judge, Probate Division  
Los Angeles Superior Court  
111 N. Hill Street  
Los Angeles, CA 90012

Dear Judge Stratton:

The actions you have been taking to improve the processing of limited conservatorship cases in the Superior Court have been noticed. Even though you only assumed a leadership position in the Probate Court in January, you have acted with all deliberate speed on several fronts.

You reached out to our organization in February with an invitation to meet with you to discuss our concerns with the manner in which limited conservatorship cases have been handled in Los Angeles. You were very attentive at the meeting and took copious notes as I outlined those concerns.

The lunch seminar you conducted for attorneys who want PVP appointments was significant in many ways. Some of the speakers on the panel shared concerns about the current system in a very forthright manner – raising issues that have not been addressed in previous PVP seminars over the past few years. In addition to being open to the need for corrections to the system, you were very direct in your admonition to attorneys to be real advocates for the client and not to be lured into a “best interests” role. You could not have been more clear about this.

Your presentation in Sacramento at the Senate Judiciary Committee was significant. Your willingness to disclose flaws in the conservatorship system in Los Angeles demonstrated your desire to improve the process. The fact that court investigators can only spend one day a week in the field caught the attention of Senator Hannah-Beth Jackson who chairs the committee. This disclosure was so important that I discussed its implications in a summary of the hearing that I subsequently published. The second disclosure – that many conservatees cannot be located – was equally important. The fact that hundreds or more of vulnerable adults who are under the protection of the court cannot be found is something that needs to be addressed immediately. I sent an administrative records request to the Superior Court yesterday to find out just how many conservatees with open cases fall into the “missing” category. We may have suggestions about this so I would appreciate a quick reply to that request. ←

Thank you for your openness to change. Since our goal should be the same – increasing the prospect of access to justice for people with intellectual and developmental disabilities – we should work together to identify ways to improve the system. Let’s meet again to move this process forward.

Very truly yours,

A handwritten signature in cursive script that reads "Thomas F. Coleman".

Thomas F. Coleman  
Executive Director  
tomcoleman@spectruminstitute.org  
(818) 482-4485 (cell)

cc: Justice Harry Hull (Judicial Council)  
Judge John Sugiyama (Probate Advisory Committee)

# Disturbing Details Revealed at Legislative Hearing on the Ability of California Courts to Protect Vulnerable Adults

by Thomas F. Coleman

As each of the 16 witnesses testified before the Senate Judiciary Committee this week, a common theme emerged. Bulging caseloads and shrinking budgets were interfering with the duty of state and local agencies to protect seniors and adults with disabilities from abuse and neglect.

The occasion was an oversight hearing into the role of the courts in protecting a growing population of seniors and dependent adults. Presiding over the hearing was state Senator Hannah-Beth Jackson (D-Santa Barbara).

Senator Jackson started the hearing by reminding everyone that the last such oversight hearing on conservatorships was in 2005. That hearing was prompted by articles published by the Los Angeles Times revealing mismanagement of conservatorships for seniors by the judges, attorneys, and conservators in such cases.

While the scheduled speakers mostly read from prepared scripts, and senators came and left the room from time to time, no one acknowledged the "elephant in the room" – a report issued that morning by Spectrum Institute criticizing the Judicial Branch for operational deficiencies in processing limited conservatorship cases.

Limited conservatorships are proceedings used exclusively for adults with intellectual and developmental disabilities. There are 40,000 such adults under conservatorship in California, with 5,000 new cases being opened each year.

The Legislature has never conducted an oversight hearing about the condition of the limited conservatorship system in California. Limited conservatorships and people with disabilities were barely mentioned by scheduled speakers.

That changed when I spoke at the end of the hearing. I presented the committee with a new report – *Limited Conservatorships: Systematic Denial of Access to Justice* – detailing how judges, attorneys, court investigators, and regional centers are failing to protect the rights of people with developmental disabilities.

The report calls on the Legislature to convene a Task Force on Access to Justice in Limited Conservatorships to investigate the findings of the study by Spec-

trum Institute. It also asks for the Bureau of State Audits to survey the courts in each county to document their policies and practices in handling these cases, and to conduct an audit of the system in Los Angeles.

Testimony by Judge Maria Stratton, Presiding Judge of the Probate Court in Los Angeles, underscored the need for such an audit. She told legislators that there are 10,000 open conservatorship cases in Los Angeles. This contradicts data released by the Department of Developmental Services which shows there are more than 12,000 open cases involving adults with developmental disabilities. In addition, there are thousands of other cases for seniors. There is a major discrepancy that needs to be reconciled.

Judge Stratton disclosed that many vulnerable adults under the court's protection cannot be found. Thousands of them? For a protection court to lose track of that many people is very unsettling news.

She said the 20 court investigators have only one day a week to conduct field investigations. That means there are only 52 days a year to conduct field investigations on 2,100 new conservatorships, 2,100 annual reviews, and 5,000 biennial reviews, not to mention guardianships for minors. Do the math. Each investigator would have to do nine home visits on the only day each week assigned for field work. Really?

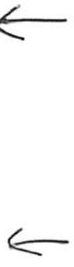
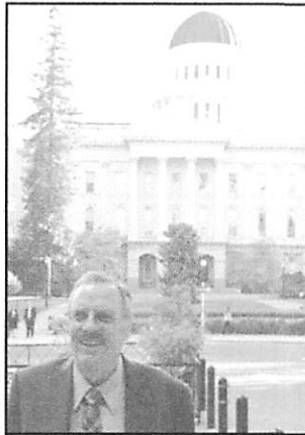
The proposals offered by Spectrum Institute were endorsed by the testimony of Greg deGiere who represented the Arc of California. The Arc is a statewide organization advocating for the rights of people with intellectual and developmental disabilities.

Legislators listened intently during my testimony. They were given the new report as well as a guide on how such a task force could function.

A task force was convened in 2006 to address the needs of seniors. The question now is whether people with disabilities will get the oversight they truly need – and deserve. The answer lies with the members of the Senate Judiciary Committee. ♦♦♦

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Attorney Thomas F. Coleman is Executive Director of the Disability and Guardianship Project of Spectrum Institute. [www.spectruminstitute.org](http://www.spectruminstitute.org) (March 27, 2015)





SHERRI R. CARTER  
EXECUTIVE OFFICER / CLERK

111 NORTH HILL STREET  
LOS ANGELES, CA 90012-3014

*Superior Court of California*  
*County of Los Angeles*

April 30, 2014

Thomas F. Coleman  
c/o Dr. Nora J. Baladerian  
2100 Sawtelle, #204  
Los Angeles, CA 90025

**Re: Requests per Rule 10.500**

Dear Mr. Coleman:

The following is written in response to your inquiry dated April 24, 2014 for per Rule 10.500.

On April 26, 2014, we had the following conservatorship cases in active inventory:

Conservatorship – Limited 7,643  
Conservatorship – Dementia 2,093  
Conservatorship – Other 3,341

*19,000  
General + Limited*

The Probate Code mandates first annual, annual and biennial reviews, based on the type of conservatorship ordered by the court.

The information regarding guardianship cases "Subject to Annual Reviews" or "Biennial Reviews" is not available in any document or report.

Sincerely,

A handwritten signature in cursive script, appearing to read "Margaret Little".

Margaret Little, Ph.D.  
Senior Administrator  
Family Law & Probate Administration

ML:rma

**To: Central Civil Operations Administration  
Administrative Records Request**

**From: Thomas F. Coleman  
c/o Baladerian  
2100 Sawtelle, #204  
Los Angeles, CA 90025  
(818) 482-4485**

**Re: Request per rule 10.500**

**Date: April 22, 2014**

**Request 1: Access to Records – Open Cases – Subject to Annual Reviews**

**Please provide me access to records, and/or copies of records, in possession of or under the control of the Superior Court (memos, letters, reports, data sheets, etc.) which show:**

**a. The number of “open” conservatorship cases which are subject to annual review by court investigators for the current fiscal year and/or the current calendar year. By open, I refer to probate code conservatorship cases (general and limited) in which a conservator has been appointed and the conservatee or limited conservatee is still living.)**

**b. The number of “open” guardianship cases which are subject to annual review by court investigators for the current fiscal year and/or the current calendar year. By open, I refer to probate code guardianship cases in which a guardian has been appointed and the ward is still living and has not turned 18 years of age yet.**

**Request 2: Access to Records – Open Cases – Subject to Biennial Reviews**

**Please provide me access to records, and/or copies of records, in possession of or under the control of the Superior Court (memos, letters, reports, data sheets, etc.) which show:**

**a. The number of “open” conservatorship cases which are subject to biennial review by court investigators for the current fiscal year and/or the current calendar year. By open, I refer to probate code conservatorship cases (general and limited) in which a conservator has been appointed and the conservatee or limited conservatee is still living.)**

**b. The number of “open” guardianship cases which are subject to biennial review by court investigators for the current fiscal year and/or the current calendar year. By open, I refer to probate code guardianship cases in which a guardian has been appointed and the ward is still living and has not turned 18 years of age yet.**