

Preparing for a Hearing About Grave Disability

This brochure should not be considered legal advice. In preparation for your hearing, it may be helpful for you to answer the following questions and present this information to your Public Defender.

Not being able to answer all of these questions does NOT mean that you cannot challenge your conservatorship.

1. I plan to live at this address:

Address: _____

City: _____

State: _____ Zip Code: _____

I will spend this amount \$ _____ on rent or mortgage payments.

2. I will provide for my food this way:

I will spend this amount of money on food: \$ ____.

3. I will provide for my clothing this way:

I will spend this amount of money on clothing: \$ ____.

4. There are people who will help me. They are listed below.

5. If I need treatment, I am willing to get treatment from this person or agency:

6. I can get to my meetings and appointments this way:



What is the Patient Advocacy Program?

We are dedicated to ensuring the rights of behavioral health clients.

For behavioral health clients receiving services in San Diego County.

Information & Assistance

(619) 282-1134 or 1-800-479-2233

Fax: (619) 282-4885

www.jfssd.org/patientadvocacy

Hours: 8:00am-5:00pm, Monday-Friday

For a copy of our Notice of Privacy Practices, please visit our website or contact us

Behavioral health clients have the same legal rights afforded to every American citizen.

The Patient Advocacy Program is funded by the county of San Diego



LPS Conservatorships



For information about LPS Conservatorships in San Diego County
(619) 282-1134 | 1-800-479-2233
www.jfssd.org/patientadvocacy

What is an LPS Conservatorship?

This information does not apply to probate conservatorship of the person and/or of the estate, or to a limited conservatorship.

The purpose of an LPS Conservatorship is to provide individualized treatment, supervision, and placement to a person that a judge has deemed “gravely disabled”. This means that the judge is concerned about that person’s ability to provide for and/or utilize food, clothing, and shelter due to symptoms of a mental disorder. The law requires that any person on LPS conservatorship be placed in the least restrictive setting possible.

If you are placed on conservatorship, you are called a “conservatee” and the person appointed to make decisions on your behalf is called the “conservator.”

If you are conserved, you will have the same legal rights afforded to every American citizen, other than the rights that have been removed by a judge, as described in this brochure. Please contact our office for a list of rights that you retain at all times.

Authority Cited:

California Welfare and Institutions Code
Sections 5350.1, 5008(h)(1)(A), 5350(b)(2), 5350(b)(2), 5358(c)(1), 5523, 5350(d)(1), 5364

Patient Advocacy Services

You may consent to services provided by Patient Advocates, including filing a grievance about inpatient or residential behavioral health services in San Diego County, without your conservator’s consent.

Timing

LPS Temporary Conservatorships (T-Cons) are valid for no more than 30 days (or up to 6 months if a court hearing or jury trial is requested). LPS Permanent Conservatorships (P-Cons) are valid for one year and are renewable for periods up to one year at a time, with an opportunity to be heard in court and challenge the conservatorship every 6 months.

Challenging Your Conservatorship

There are multiple ways to challenge all aspects of your conservatorship. You must make your wishes to contest your conservatorship known within five days following the hearing on the conservatorship petition. This also applies to reestablishment proceedings.

You will receive a document titled “Notice of Hearing,” to inform you that your court hearing is approaching, and you should contact your public defender if you want to contest your conservatorship. You can request a hearing every six months by contacting your Public Defender (619-338-4617).

LPS Conservators are granted the following powers:

- The ability to consent for psychiatric medication, even over the objection of the conservatee.
- Placement in the least restrictive setting (as designated by the court)
- Placement which achieves the purposes of treatment of the conservatee and protection of the public
- Require conservatee to receive treatment related to remedying the underlying grave disability

Surgery requires the consent of the conservatee or a court order.

Certain rights can be removed or limited by a judge, including: possession of a Driver’s License, entering into contracts, voting, possession of a firearm, refusing or consenting to treatment related and unrelated to grave disability (the latter can only occur if the judge makes a specific determination on this issue).

Contact Information

To request a hearing
Office of the Public Defender..(619) 338-4617

If you have questions about your conservatorship,
Public Conservator’s Office..(858) 694-3500

For other questions or additional assistance
Patient Advocacy Program..(619) 282-1134
or 1-800-479-2233

Call our office for relevant contact information
if your LPS conservatorship is outside of
San Diego County