



GENERAL CONSERVATORSHIP QUESTIONNAIRE

(Do not answer questions regarding the Estate if only a Conservatorship of the Person is being sought)

Instructions: Please answer these questions fully and truthfully. You eventually will be swearing to your answers under penalty of perjury. If you need to attach separate sheets, please do so. If you do, please reference the question number on your attached sheet. Your prompt attention is appreciated, as we cannot begin the proceedings until we get this information from you. If you have any questions, please feel free to call or e-mail our office.

Section I: General Information

** Please note that the persons petitioning the Court are the Proposed Conservators, and the person for whom the conservatorship is for is the Proposed Conservatee. **

Proposed Conservator #1 (Person Petitioning Court)

(Fill out separate information below for Proposed Conservator #2 when parents or siblings are petitioning to be appointed as co-conservators)

Name: _____
Last First Middle

Address: _____
Street City State Zip

Telephone numbers: Home: _____ Work: _____

Other: _____ Other: _____

Date of Birth: _____ Social Security Number: _____ - _____ - _____

Driver's License Number: _____ State: _____

Relationship to proposed conservatee: _____

Years you have known proposed conservatee: _____

Proposed Conservator #2 Info (Person Petitioning Court)

Name: _____
Last First Middle

Address: _____
Street City State Zip

Telephone numbers: Home: _____ Work: _____
Other: _____ Other: _____

Date of Birth: _____ Social Security Number: ____ - ____ - _____

Driver's License Number: _____ State: _____

Relationship to proposed conservatee: _____

Years you have known proposed conservatee: _____

Proposed Conservatee Info (Person for Whom Conservatorship is For)

Name: _____
Last First Middle

Date of Birth: _____ Social Security Number: ____ - ____ - _____

Residential Address: _____
Street City State Zip

Address where currently living, if different from above (e.g., nursing/group home, care facility):

Name of Facility (if applicable)

Street City State Zip

Caregiver's Name: _____

Telephone numbers: Home: _____ Work: _____

Detailed medical diagnosis (Proposed Conservatee is in a coma, an amputee, etc).

Proposed Conservatee's Primary Doctor or Psychologist

Name: _____ Facility Name: _____

Address: _____
Street City State Zip

Telephone number: _____ Type of Doctor: _____
(e.g., psychiatrist, psychologist, general, etc.)

Other Doctor(s) of Proposed Conservatee

Name: _____ Facility Name: _____

Address: _____
Street City State Zip

Telephone number: _____ Type of Doctor: _____
(e.g., psychiatrist, psychologist, general, etc.)

Proposed Conservatee's Spouse (if any)

Name: _____
Last First Middle

Address: _____
Street City State Zip

Telephone number(s): _____ and _____
(please specify if work, home or cell)

If predeceased, Date of death: _____

Residence at time of death: _____
Street City State Zip

If divorced, date of divorce: _____
(Please send any settlement agreements in you can locate.)

Section II: Proposed Conservator Information

Have EITHER of you (Please check Yes or No and specify who answer applies to):

- 1) Ever been convicted of a felony? Yes _____ No _____
- 2) Filed for bankruptcy within the last 10 years? Yes _____ No _____
- 3) Been charged or arrested of any crime involving the taking of property, fraud, misrepresentation or elder abuse? Yes _____ No _____
- 4) Had a restraining or protective order filed against you within last 10 years? Yes _____ No _____
- 5) Required to register as a sex offender? Yes _____ No _____
- 6) Previously appointed as a Conservator, executor or fiduciary? Yes _____ No _____
- 7) Been removed or asked to resign as conservator, guardian, executor or fiduciary? Yes _____ No _____
- 8) Any adverse interest to the proposed conservatee? Yes _____ No _____
- 9) Do you or does any other person living in your home have a social worker or parole or probation officer assigned to him or her? Yes _____ No _____

*** If the answer to any of the above questions (Section II 1-9) is “yes,” please explain:

Section III: Proposed Conservatee Information

- 1) Is the proposed conservatee a resident of San Diego County? Yes _____ No _____
 Since when? _____
- 2) If not, are they a resident of California? Yes _____ No _____
 Since when? _____
- 3) What is your relationship to the proposed conservatee? _____
- 4) Do you owe any money to proposed conservatee? _____

5) Does the proposed conservatee owe you any money? _____

6) Estimate the character and value of the property of the estate:

- (1) Personal Property \$ _____
- (2) Annual gross income from:
 - a) real property \$ _____
 - b) personal property \$ _____
 - c) pensions \$ _____
 - d) wages \$ _____
 - e) public assistance \$ _____
 - f) other \$ _____
- (3) Gross value of real property \$ _____
- (4) Encumbrances on real property \$ _____

7) Attached to this questionnaire, as Exhibit "A" is a copy of Probate Code §2591. These are powers of the estate not normally granted without a special request and a showing of need. Do you feel that any of these powers are now needed? Yes _____ No _____

If so, please identify which power is needed and explain in detail:

8) The law presumes that a conservatee still has the capacity to marry. Special orders can be requested and proceedings held to remove this right. Do you anticipate this will be a problem of sufficient immediacy to take up in our petition for Conservatorship? Yes _____ No _____
If so, please explain:

9) Do you believe there are any special financial transactions that the conservatee should still be allowed to do? Yes _____ No _____
If yes, please explain.

10) The law permits us to request specific limitations to the power of a conservator of the person, allowing the conservatee greater decision-making rights than they otherwise would enjoy. Are there any such limitations to the power of the conservator of the person you wish to request? Yes _____ No _____

16) Is the proposed conservatee unable to manage his or her financial resources or resist fraud or undue influence? Yes _____ No _____

If so, please state supporting facts, with specific examples from the proposed conservatee's daily life showing significant behavior patterns:

17) Is the proposed conservatee developmentally disabled? Yes _____ No _____

If so but proposed conservatee is NOT a Regional Center consumer, then please provide us with a copy of the letter of denial from Regional Center. If proposed conservatee is with Regional Center, then a Limited Conservatorship must be filed instead of a General Conservatorship.

18) Is the proposed conservatee of sufficient understanding to consent to the proposed conservatorship? Yes _____ No _____

If they are able to consent, will they? Yes _____ No _____

If they will consent, do you think they would be willing to sign a form nominating you to be their conservator? Yes _____ No _____

19) Do you think they would waive the requirement of a bond in the nomination?

Yes _____ No _____

20) Are you aware of anyone else who may have been previously nominated in any document?

Yes _____ No _____

If so, please identify the nominee: _____

21) Do you believe the proposed conservatee may contest the Conservatorship?

Yes _____ No _____

22) Do you think the proposed conservatee will be unable to attend the court hearing due to medical inability? Yes _____ No _____

23) If the proposed conservatee is able to attend the hearing, will they do so?

Yes _____ No _____

24) Do you feel the proposed conservatee is able to give informed consent to any form of medical treatment? Yes _____ No _____

25) Is the proposed conservatee an adherent of a religion that relies on prayer alone for healing?

Yes _____ No _____

26) Is the proposed conservatee currently living in their residence? Yes _____ No _____
If so, will they continue to be able to do so, or will they need to be moved after appointment of a conservator? Please specify brief supporting facts if you plan to move them.

27) If the proposed conservatee is not currently living in their residence, please explain:

28) Do you anticipate that they will be able to return to their residence? Yes _____ No _____
If so, please estimate when they will return, and list brief supporting facts:

29) Does the proposed conservatee have :

Voluntary assistance? Yes _____ No _____

Specify Document(s)

Powers of Attorney? Yes _____ No _____

Specify Document(s)

Trust? Yes _____ No _____

Specify Document(s)

If the answer is yes to any of the above, please provide us with copies of the documents.

30) Within the last 12 months, has proposed conservatee received any health services?

Yes _____ No _____

If so, please explain. If you have no knowledge whether assistance was provided or not, please so indicate:

31) Within the last 12 months, has proposed conservatee received any social services?

Yes _____ No _____

If so, please explain. If you have no knowledge whether assistance was provided or not, please so indicate:

If applicable, what is the caseworker's name, address and telephone number:

32) Please list all relatives within the SECOND DEGREE of the proposed conservatee as these persons will receive notice of the hearing and petition. These relatives include parents, maternal or paternal grandparents, siblings, half-siblings (but not step-siblings), spouse (if any), children (if any). If a person is deceased, please still provide us with their name(s). We also need the addresses and telephone numbers for all living persons. List their names, relationship, addresses, and telephone numbers as far as known to you. If you do not know, but can find out with reasonable effort, please do so. If there are no relatives within the second degree of kinship, you must provide us instead with all of the following names, addresses, telephone numbers and relationships: 1) Spouse of a predeceased parent of the proposed conservatee; 2) Children of predeceased spouse of proposed conservatee; 3) Siblings of proposed conservatee's parents (aunts and uncles), but if none, children of proposed conservatee's parents siblings (first cousins); and 4) Children of proposed conservatee's siblings (nieces and nephews).

| Name | Relationship | Addresses AND Phone Numbers (If Deceased, please so indicate) |
|-------|--------------|--|
| _____ | _____ | _____ _____ _____ |
| _____ | _____ | _____ _____ _____ |
| _____ | _____ | _____ _____ _____ |
| _____ | _____ | _____ _____ _____ |

If needed, please provide additional names, addresses, and phone numbers on the back of this page. Please also list names of any deceased parent, grandparent, siblings, children, and spouse (if applicable).

Exhibit "A"

Probate Code §2591 Conservatorship of the Estate Powers That May Be Granted

Petitioners can request that the following orders relating to the powers and duties of the proposed conservators of the estate under Probate Section 2591, be granted:

(a) The power to operate, for a period longer than 45 days, at the risk of the estate a business, farm, or enterprise constituting an asset of the estate.

(b) The power to grant and take options.

(c) (1) The power to sell at public or private sale real or personal property of the estate without confirmation of the court of the sale, other than the personal residence of a conservatee.

(2) The power to sell at public or private sale the personal residence of the conservatee as described in Section 2591.5 without confirmation of the court of the sale. The power granted pursuant to this paragraph is subject to the requirements of Sections 2352.5 and 2541.

(3) For purposes of this subdivision, authority to sell property includes authority to contract for the sale and fulfill the terms and conditions of the contract, including conveyance of the property.

(d) The power to create by grant or otherwise easements and servitudes.

(e) The power to borrow money.

(f) The power to give security for the repayment of a loan.

(g) The power to purchase real or personal property.

(h) The power to alter, improve, raze, replace, and rebuild property of the estate.

(i) The power to let or lease property of the estate, or extend, renew, or modify a lease of real property, for which the monthly rental or lease term exceeds the maximum specified in Sections 2501 and 2555 for any purpose (including exploration for and removal of gas, oil, and other minerals and natural resources) and for any period, including a term commencing at a future time.

(j) The power to lend money on adequate security.

(k) The power to exchange property of the estate.

(l) The power to sell property of the estate on credit if any unpaid portion of the selling price is adequately secured.

(m) The power to commence and maintain an action for partition.

(n) The power to exercise stock rights and stock options.

(o) The power to participate in and become subject to and to consent to the provisions of a voting trust and of a reorganization, consolidation, merger, dissolution, liquidation, or other modification or adjustment affecting estate property.

(p) The power to pay, collect, compromise, or otherwise adjust claims, debts, or demands upon the guardianship or conservatorship described in subdivision (a) of Section 2501, Section 2502 or 2504, or to arbitrate any dispute described in Section 2406.