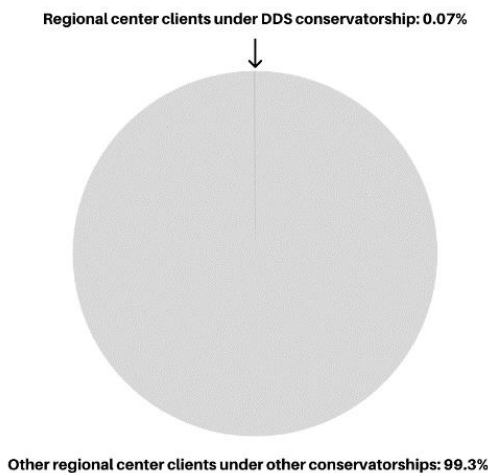


FACT SHEET: California Conservatorships Explained

Conservatorship is a complex process where a court appoints an individual or entity to make life decisions for an individual, with or without developmental disabilities. California's Health & Safety Code §416 provides the rules under which regional center clients can be conserved.



California's regional centers are a network of 21 community-based non-profits that coordinate services for, and advocate on behalf of, nearly 400,000 Californians with developmental disabilities. This includes **57,000** regional center clients who are in a conservatorship — **Approximately 400** of these individuals served by a regional center are conserved by the Department of Developmental Services (DDS).

Regional centers receive State funding through DDS approximately on a per capita basis of the individuals they serve. This funding supports regional center staff and services and community-based service providers. Funding levels do not change based on whether or not an individual is conserved.

DDS becomes the court appointed conservator when there is either no family member available or because the individual's family is unfit to provide for the person's health and safety. Because of their direct connection to the individuals, regional centers are delegated conservatorship responsibilities by DDS.

Those responsibilities are informed by a range of rules, policies, and guidance. Additionally, a court must review the conservatorship regularly to ensure the conservator is meeting the health, safety, and legal need of the conservatee. There are two main types of conservatorships regional center clients typically fall under.

General & Limited Conservatorships

General Conservatorships: Some families of people with developmental disabilities seek a general conservatorship. This gives them broad powers and does not require a regional center report or regional center notification. Many people served by a regional center who are conserved are under a general conservatorship.

Limited Conservatorships: In 1980, the Legislature created limited conservatorships for individuals with developmental disabilities. When a limited conservatorship is proposed, the local regional center conducts an initial review, and shares its report with the court. This also happens with conservatorships involving DDS. The review is used to recommend to the court which of the following seven powers should be subject to the conservatorship.

These are:

1. Decide where the conservatee will live.
2. Access the conservatee's confidential records.
3. Decide whether or not the conservatee can get married.
4. Enter into contracts on behalf of the conservatee.
5. Decide whether to consent for medical care the conservatee.
6. Decide who the conservatee can have social and sexual contacts with.
7. Make decisions regarding the conservatee's education.

About ARCA

The Association of Regional Center Agencies (ARCA) represents California's network of 21 independent, non-profit regional centers. The mission of ARCA is to promote, support, and advance regional centers in achieving the intent and mandate of the Lanterman Developmental Disabilities Services Act in providing community-based services that enable individuals with developmental disabilities to achieve their full potential and highest level of self-sufficiency.

The Association functions as a leader and advocate in promoting the continuing entitlement of individuals with developmental disabilities to all services that enable full community inclusion. The Association also participates in the development of public legislative policy and serves as a focal point for communication, education, training, and prevention services.

ARCA Conservatorship Policy

The Association of Regional Center Agencies believes that individuals with intellectual and developmental disabilities are capable of making their own decisions and directing their own lives. This is the foundation of its [Conservatorship Policy](#). There are situations where an individual requires a limited conservatorship, but the least restrictive option should always be considered first before the court appoints a conservator.