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FILED

MAY 15 2020

Clerk of the Court
Superior Court of CA County of Santa Clara
BY  Erick Rivas DEPUTY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SANTA CLARA

ORDER RE TELEPHONIC APPEARANCES FOR CONSERVATORSHIP HEARINGS

In view of the current COVID-19 pandemic and the state and county emergency orders intended to slow the spread of the virus, the court has required all known participants in general Probate Conservatorships and Limited Conservatorships to appear telephonically.


The court notes that all such hearings involve proceedings brought on behalf of a person alleged to be unable to provide for their own health, safety and welfare due to developmental disability or deficits in mental function. Such persons often qualify for public benefits due to their disability or deficits in mental functions. The Office of the Public Defender has been appointed to represent many conservatees and proposed conservatees as mandated or permitted under Probate Code §§ 1470 and 1471. For any conservatee or and proposed conservatee for whom the Office of the Public Defender has been appointed, the court makes a provisional finding that the conservatee or proposed conservatee is indigent and therefore entitled to a waiver of fees for telephonic appearance – their own or appointed counsel’s – at any hearing involving the conservatorship. This provisional finding is subject to reconsideration or modification of a

1 party or on the court's own motion.

2 Nothing in this order is intended to limit or supersede the independent ability or
3 entitlement of any public agency to seek relief from fees for telephonic appearances.

4 IT IS SO ORDERED.

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6 Date: May 15, 2020.

7 
8 Honorable Julie Emede
9 Judge of the Superior Court
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