

Request a General Conservatorship

NOT for Developmental Disabilities and NOT for Emergency Orders

Step 1

Complete the following forms in blue or black ink:

- GC-310 Petition for Appointment of Probate Conservator of the Person
- GC-313 Attachment Requesting Special Orders Regarding Dementia
- GC-020 Notice of Hearing for Conservatorship
- GC-320 Citation for Conservatorship
- GC-341 Notice of Conservatee's Rights
- GC-341(MA) Attachment to Notice of Conservatee's Rights
- GC-312 Confidential Supplemental Information
- GC-314 Confidential Conservator Screening Form (**One for each Proposed Conservator**)
- GC-348 Duties of Conservator
- GC-335 Capacity Declaration (To be filled out by the Doctor)
- GC-335A Dementia Attachment to Capacity Declaration – Conservatorship
- PB-4002 Referral for Court Investigator – Conservatorship (**Attach a colored photo of Conservatee**)
- GC-340 Order Appointing Probate Conservator of the Person
- GC- 350 Letters of Conservatorship
- FW-001 Application for Waiver of Court Fees and Costs
- FW-002 Application for Waiver of Additional Court Fees and Costs
- FW-003 Order an Application for Waiver of Court Fees

Step 2

Copies: Make 2 copies, in addition to the original.

Step 3

File: Turn in the original and copies to the clerk's office located at:

191 North First Street, San Jose, CA 95113

They open at 8:30am Monday-Friday, closing times are subject to change, visit

www.scscourt.org or call **408-882-2100** for current office hours.

Filing fee is
\$435.00 +
\$900.00

*unless the
fee is
waived.*

- If you are not asking for a fee waiver**, you will pay the filing fee and get filed-stamped copies back when you file.
- If you are asking for a fee waiver**, your file-stamped copies may be returned immediately, OR you may be asked to return in up to 24 hours, OR your file-stamped forms may be mailed to you. Please check with the clerk who takes your forms.

Step 4

Personal Service: After the filed copies are returned to you, have an adult, *not you*, **hand-deliver** a filed copy of the following forms to the person you are trying to conserve at least **15 days before** your first court date.:

- 1 Filed Copy of** (GC-310) Petition for Appointment of Probate Conservator
- 1 Filed Copy of** (GC-020) Notice of Hearing for Conservatorship
- 1 Filed Copy of** (GC-320) Citation for Conservatorship

Whoever serves the papers must complete and sign the second page of the *Citation of Conservatorship*. This must be filed at least 5 days before the court date

<p>Step 5</p>	<p>Mail Service: Have an adult, <i>not you</i>, mail a filed copy of the following forms to the people related to the person you are trying to conserve:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 1 Filed Copy of (GC-310) Petition for Appointment of Probate Conservator <input checked="" type="checkbox"/> 1 Filed Copy of (GC-020) Notice of Hearing for Conservatorship <p><input type="checkbox"/> The law says that you must serve the following people by MAIL:</p> <ul style="list-style-type: none"> ■ all grandparents ■ Parents ■ any brothers/sisters 12 or older ■ Spouse/Domestic Partner <p><input type="checkbox"/> IF there are no grandparents, parents, children or grandchildren, THEN you must serve the following people by MAIL:</p> <ul style="list-style-type: none"> ■ any aunts and uncles ■ any nieces and nephews 12 or older ■ Spouse/Domestic Partner of a predeceased parent of the conservatee ■ Children of a predeceased Spouse/Domestic Partner 12 or older <p><input type="checkbox"/> Whoever serves the papers must complete & sign the second page of the <i>Notice of Hearing</i> form. This must be filed with the court at least 5 days before the hearing.</p>
<p>Step 6</p>	<p>What happens next: Go to all court hearings and bring a copy of all the papers in your case and bring any papers which help to prove the information in your Petition.</p>
<p>Step 7</p>	<p>Mail Service: If the court grants the conservatorship, serve the following forms:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> 1 Filed Copy of (GC-341) Notice of Conservatee's Rights <input checked="" type="checkbox"/> 1 Filed Copy of (GC-340) Order Appointing Probate Conservator with Judge's signature <p><input type="checkbox"/> The law says that you must serve a copy of the above forms to the following people by mail within 30 days of the court issuing the Order Appointing Probate Conservator:</p> <ul style="list-style-type: none"> ■ the conservatee ■ all grandparents ■ any brothers/sisters 12 or older ■ Parents ■ Spouse/Domestic Partner ■ any grandchildren 12 or older <p><input type="checkbox"/> IF there are no grandparents, parents, children or grandchildren, THEN you must serve the following people by mail:</p> <ul style="list-style-type: none"> ■ Any aunts and uncles ■ Any nieces and nephews 12 or older ■ Spouse/Domestic Partner of a predeceased parent of the conservatee ■ Children of a predeceased Spouse/Domestic Partner 12 or older <p><input type="checkbox"/> Whoever serves the papers must complete & sign the PROOF OF MAILING on page 3 of the form. The PROOF OF MAILING must be filed with the court.</p>

HOW CAN I GET HELP?

Here are some ways to get help:

- Go to <http://www.calbar.ca.gov/Public>, then click on "Lawyer Referral services" to hire or consult with a private attorney.
- For free legal advice and information, see our "Do-It-Yourself Resources" flyer. Go to www.scscourt.org, click on "Self-Help" then "Self-Help Flyers".
- The Self-Help Center/Family Law Facilitator – See our information flyer:
 - Contact us: Go to www.scscourt.org then click "**Contact the Self-Help Center**".
 - Obtain Forms: Go to www.scscourt.org then click "**Complete Forms at Home**".
 - Form Review: Email your forms as a PDF file to SHCDocReview@scscourt.org.
 - Note: We **cannot** help people who have attorneys.

Superior Court, County of Santa Clara
Self-Help Center/Family Law Facilitator's Office
201 N. First Street, San Jose, CA 95113
408-882-2926