

Working together for ourselves, our families and our community.



NAMI-SCC National Alliance for the Mentally Ill

Santa Cruz County
P.O. Box 360, Santa Cruz, CA 95061 www.namisc.org

11/??/2001

Dear Santa Cruz County Board of Supervisors,

We are writing to you to request that your board authorize the appointment of legal assistance for those family members who have insufficient funds to obtain a private attorney to assist them in matters of LPS conservatorship (see welfare and institutions code section 5350-5371).

When a family member becomes severely mentally ill and is conserved through the LPS court, the Public Guardian is appointed conservator for that person. Often times the Public Guardian requests a family member to take the role of conservatorship. This reduces the already overburdened Public Guardian's case load.

An LPS conservatorship has a duration of one year, if the conservatee is still "a danger to themselves, a danger to others, or gravely disabled" then the conservator may petition the court for an additional one year conservatorship. This legal petitioning process often times is complicated and unfamiliar to the family member who has taken on the responsibility as requested by the Public Guardian's office. The legal fees for this process can cost up to \$2000. and certainly is a financial burden for those families who have insufficient funds.

Therefore, NAMI-SCC is requesting that the County Board of Supervisors pass by motion an ordinance or resolution that authorizes the appointment of legal assistance for those family members who have insufficient funds to obtain a private attorney to assist them in matters of LPS conservatorship.

Sincerely,

Board for the National Alliance for the Mentally Ill - Santa Cruz County

cc : Local Mental Health Board
Norm Wyman, Mental Health Director
Rama Kahlsa, Director Health and Human Services Santa Cruz County

WELFARE AND INSTITUTIONS CODE
SECTION 5350-5371

5370.1. The court in which a petition to establish a conservatorship is filed may appoint the county counsel or a private attorney to represent a private conservator in all proceedings connected with the conservatorship, if it appears that the conservator has insufficient funds to obtain the services of a private attorney. Such appointments of the county counsel, however, may be made only if the board of supervisors have, by ordinance or resolution, authorized the county counsel to accept them.