

**Introduced by Senator Murray**

December 7, 1998

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An act to add Division 2.5 (commencing with Section 297) to the Family Code, to add Section 1261 to the Health and Safety Code, and to amend Sections 1460, 1811, 1812, 1820, 1821, 1822, 1829, 1861, 1863, 1871, 1873, 1874, 1891, 1895, 2212, 2213, 2357, 2423, 2430, 2504, 2572, 2580, 2614.5, 2622, 2651, 2653, 2681, 2682, 2687, 2700, 2803, 2805, and 6240 of, and to add Section 37 to, the Probate Code, relating to human relationships.

LEGISLATIVE COUNSEL'S DIGEST

SB 75, as amended, Murray. Domestic partnership: registration, termination, and rights thereof.

(1) Existing law sets forth the requirements of a valid marriage, and specifies the rights and obligations of spouses during marriage.

This bill would enact the Domestic Partnership Act of 1999, which would define "domestic partners" and provide for the registration of domestic partnerships with the Secretary of State. The bill would also specify procedures for the termination of domestic partnerships. The bill would prohibit a person who has filed a Declaration of Domestic Partnership from filing a new declaration until at least 6 months has elapsed from the date that a Notice of Termination of Domestic Partnership was filed with the Secretary of State in connection with the termination of the most recent domestic

partnership, except where the previous domestic partnership ended because one of the partners died *or married*.

The bill would require the Secretary of State to prepare forms for the registration and termination of domestic partnerships, and distribute these forms to each county clerk. The bill would require the Secretary of State to establish by regulation and charge fees for processing these forms. The bill would require these forms to be available to the public at the office of the Secretary of State and each county clerk. By increasing the duties of the county clerk, the bill would impose a state-mandated local program.

This bill would provide that any domestic partnership entered into outside of this state, which would be valid by the laws of the jurisdiction under which the partnership was created, shall be valid in this state.

This bill would also preempt, on and after ~~January~~ July 1, 2000, any local ordinance or law that provides for the creation of a domestic partnership, as specified, except that a local jurisdiction may retain or adopt policies or laws that offer rights to domestic partners within that jurisdiction that are in addition to the rights established by state law, as specified.

(2) Existing law does not specify requirements concerning patient visitation in all health facilities.

This bill would require a health facility to allow a patient's domestic partner and other specified persons to visit a patient, except under specified conditions.

(3) Existing law provides for the establishment of conservatorships.

This bill would revise and recast these provisions regarding conservatorships to provide for the participation of a domestic partner of the conservatee or proposed conservatee in these proceedings. The bill would require preference for selection of a conservator be given to the domestic partner and a person nominated by the domestic partner. The bill would require that a petition for conservatorship set forth the names and addresses of the domestic partner of the proposed conservatee or the names and addresses of any children of a predeceased domestic partner. The bill would require notice of a conservatorship hearing to be sent to the domestic partner of the proposed conservatee and would authorize the



domestic partner to appear at the hearing in support or opposition to the petition. This bill would make conforming changes.

(4) Existing law prescribes a statutory will form.

This bill would revise the statutory will form to, among other things, provide for the inclusion of a domestic partner among the beneficiaries to whom the testator may indicate a desire to leave his or her principal residence, automobiles, household, and personal effects, or residuary estate.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates which do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that this bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to those statutory procedures and, if the statewide cost does not exceed \$1,000,000, shall be made from the State Mandates Claims Fund.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Division 2.5 (commencing with Section  
2 297) is added to the Family Code, to read:

3

4 DIVISION 2.5. THE DOMESTIC PARTNERSHIP  
5 ACT OF 1999

6

7 PART 1. DEFINITIONS

8

9 297. This division shall be known and may be cited as  
10 the Domestic Partnership Act of 1999.



1 297.5. (a) Domestic partners are two adults who  
2 have chosen to share one another's lives in an intimate  
3 and committed relationship of mutual caring.

4 (b) A domestic partnership shall be established when  
5 all of the following requirements are met:

6 (1) Both persons have a common residence.

7 (2) Both persons agree to be jointly responsible for  
8 each other's basic living expenses during the domestic  
9 partnership.

10 (3) Neither person is married or a member of another  
11 domestic partnership.

12 (4) The two persons are not related by blood in a way  
13 which would prevent them from being married to each  
14 other in this state.

15 (5) Both persons are at least 18 years of age.

16 (6) *Both persons are capable of consenting to the*  
17 *domestic partnership.*

18 (7) *Neither person has previously filed a Declaration*  
19 *of Partnership with the Secretary of State pursuant to this*  
20 *division that has not been terminated under Section 299.*

21 (8) Both file a Declaration of Domestic Partnership  
22 with the Secretary of State pursuant to this division.

23 (c) "Have a common residence" means that *the two*  
24 *people are cohabitants who designate the common*  
25 *residence as their primary residence for all intents and*  
26 *purposes.* It is not necessary that the legal right to possess  
27 the common residence be in both of their names. Two  
28 people are cohabitants even if one or both have additional  
29 residences. Domestic partners do not cease to be  
30 cohabitants if one leaves the common residence but  
31 intends to return.

32 (d) "Basic living expenses" means ~~food and shelter,~~  
33 *shelter, clothing, transportation, utilities, and all other*  
34 *costs directly related to the maintenance of the common*  
35 *household of the common residence of the domestic*  
36 *partners.* It also means any other cost, such as medical  
37 care, if some or all of the cost is paid as a benefit because  
38 a person is another person's domestic partner.

39 (e) "Joint responsibility" means that each partner  
40 agrees to provide for the other partner's basic living



1 expenses if the partner is unable to provide for herself or  
2 himself. Anyone to whom these expenses are owed can  
3 enforce this responsibility.

4  
5 PART 2. REGISTRATION  
6

7 298. (a) The Secretary of State shall prepare forms  
8 entitled “Declaration of Domestic Partnership,” and  
9 “Notice of Termination of Domestic Partnership” to  
10 meet the requirements of this division. These forms shall  
11 require the signature and seal of an acknowledgment by  
12 a notary public to be binding and valid.

13 (b) (1) The Secretary of State shall distribute these  
14 forms to each county clerk. These forms shall be available  
15 to the public at the office of the Secretary of State and  
16 each county clerk.

17 (2) The Secretary of State shall, by regulation,  
18 establish fees for the actual costs of processing each of  
19 these forms, and shall charge these fees to persons filing  
20 the forms.

21 (c) The Declaration of Domestic Partnership shall  
22 require each person who wants to become a domestic  
23 partner to (1) state that he or she meets the requirements  
24 of Section 297.5 at the time the form is signed, (2) provide  
25 a mailing address, (3) sign the form under penalty of  
26 perjury, and (4) have a notary public notarize his or her  
27 signature *by acknowledgment. Both partners’ signatures*  
28 *shall be affixed to one Declaration of Domestic*  
29 *Partnership form, which form shall then be transmitted*  
30 *to the Secretary of State according to the instructions*  
31 *provided on the form.*

32 298.5. (a) Two persons desiring to become domestic  
33 partners may complete and file a Declaration of  
34 Domestic Partnership with the Secretary of State.

35 (b) *The Secretary of State shall register the*  
36 *Declaration of Domestic Partnership in a registry for*  
37 *those partnerships, and shall return a copy of the*  
38 *registered form to the domestic partners at the address*  
39 *provided by the domestic partners as their common*  
40 *residence.*

1 (c) No person who has filed a Declaration of Domestic  
2 Partnership may file a new Declaration of Domestic  
3 Partnership until at least six months after the date that a  
4 Notice of Termination of Domestic Partnership was filed  
5 with the Secretary of State pursuant to subdivision (b) of  
6 Section 299 in connection with the termination of the  
7 most recent domestic partnership. This prohibition shall  
8 not apply if the previous domestic partnership ended  
9 because one of the partners died *or married*.

10

11

## PART 3. TERMINATION

12

13 299. (a) A domestic partnership is terminated when  
14 any one of the following occurs:

15 (1) One partner gives or sends to the other partner a  
16 written notice *by certified mail* that he or she is  
17 terminating the partnership.

18 (2) One of the domestic partners dies.

19 (3) One of the domestic partners marries.

20 (4) The domestic partners no longer have a common  
21 residence.

22 (b) Upon termination of a domestic partnership, at  
23 least one former partner shall file a Notice of Termination  
24 of Domestic Partnership with the Secretary of State *by*  
25 *mailing a completed form to the Secretary of State by*  
26 *certified mail. The date on which the Notice of*  
27 *Termination of Domestic Partnership is received by the*  
28 *Secretary of State shall be deemed the actual termination*  
29 *date of the domestic partnership, unless termination is*  
30 *caused by the death or marriage of a domestic partner, in*  
31 *which case the actual termination date shall be the date*  
32 *indicated on the Notice of Termination of Domestic*  
33 *Partnership form. The partner who files the Notice of*  
34 Termination of Domestic Partnership shall send a copy of  
35 the notice to the last known address of the other partner.

36 (c) A former domestic partner who has given a copy  
37 of a Declaration of Domestic Partnership to any third  
38 party in order to qualify for any benefit or right shall,  
39 within 60 days of termination of the domestic partnership,  
40 give or send to the third party, at the last known address



1 of the third party, written notification that the domestic  
2 partnership has been terminated. A third party who  
3 suffers a loss as a result of failure by the domestic partner  
4 to send this notice shall be entitled to seek recovery from  
5 the partner who was obligated to send it for any actual loss  
6 resulting thereby.

7 ~~(d) Failure to file the Notice of Termination of~~  
8 ~~Domestic Partnership required in subdivision (b) or to~~  
9 provide the third party notice required in subdivision (c)  
10 shall not delay or prevent the termination of the domestic  
11 partnership.

12  
13 PART 4. LEGAL EFFECT  
14

15 299.5. (a) The obligations that two people have to  
16 each other as a result of creating a domestic partnership  
17 are those described in Section 297.5. Registration as a  
18 domestic partner under this division shall not be evidence  
19 of, or establish, any rights existing under law other than  
20 those expressly provided to domestic partners in this  
21 division, Section 1261 of the Health and Safety Code, or  
22 the Probate Code relating to bequests, conservatorships,  
23 health facility visitation rights, and support for basic  
24 living expenses.

25 The provisions relating to domestic partners provided  
26 in this division, Section 1261 of the Health and Safety  
27 Code, and the Probate Code shall not diminish any right  
28 under any other provision of law.

29 (b) Upon the termination of a domestic partnership,  
30 the partners, from that time forward, shall incur none of  
31 the obligations to each other as domestic partners that are  
32 created by this division, Section 1261 of the Health and  
33 Safety Code, or the Probate Code relating to domestic  
34 partners.

35 (c) *The filing of a Declaration of Domestic*  
36 *Partnership pursuant to this division shall not change the*  
37 *character of property, real or personal, or interest in real*  
38 *or personal property owned by either domestic partner*  
39 *or both of them prior to the date of filing of the*  
40 *declaration.*

1 (d) *The formation of a domestic partnership under*  
2 *this division shall not create any interest in any property,*  
3 *real or personal, owned by one partner in the other*  
4 *partner. During the domestic partnership, neither*  
5 *domestic partner shall acquire any interest in property,*  
6 *real or personal, acquired by the other unless expressly*  
7 *provided in the title to ownership of the property or*  
8 *interest.*

9 (e) *Any property or interest acquired by the partners*  
10 *during the domestic partnership where title or possession*  
11 *is shared shall be held by the partners in the proportion*  
12 *of interest assigned to each partner at the time the*  
13 *property or interest was acquired. Upon termination of*  
14 *the domestic partnership, this subdivision shall govern*  
15 *the division of any property jointly acquired by the*  
16 *partners.*

17 (f) *The formation of a domestic partnership under this*  
18 *division shall not change the individual income or estate*  
19 *tax liability of each partner prior to and during the*  
20 *partnership, unless otherwise provided under another*  
21 *state or federal law or regulation.*

22 (g) *Any domestic partnership entered into outside of*  
23 *this state, which would be valid by the laws of the*  
24 *jurisdiction under which the partnership was created,*  
25 *shall be valid in this state.*

26

#### 27 PART 5. PREEMPTION

28

29 299.6. (a) Any local ordinance or law that provides  
30 for the creation of a “domestic partnership” shall be  
31 preempted on and after ~~January~~ July 1, 2000, except as  
32 provided in subdivision (c).

33 (b) Domestic partnerships created under any local  
34 domestic partnership ordinance or law before ~~January~~  
35 July 1, 2000, shall remain valid. On and after ~~January~~ July  
36 1, 2000, domestic partnerships previously established  
37 under a local ordinance or law shall be governed by this  
38 division and the rights and duties of the partners shall be  
39 those set out in this division, except as provided in  
40 subdivision (c), *provided a Declaration of Domestic*





1 *Partnership is filed by the domestic partners under*  
2 *Section 298.5.*

3 (c) Any local jurisdiction may retain or adopt  
4 ordinances, policies, or laws that offer rights within that  
5 jurisdiction to domestic partners that are in addition to  
6 the rights set out in this division, and the local rights may  
7 be conditioned upon the agreement of the domestic  
8 partners to assume the additional obligations.

9 SEC. 2. Section 1261 is added to the Health and Safety  
10 Code, to read:

11 1261. (a) A health facility shall allow a patient's  
12 domestic partner, the children of the patient's domestic  
13 partner, and the domestic partner of the patient's parent  
14 or child to visit, unless one of the following is met:

15 (1) No visitors are allowed.

16 (2) The facility reasonably determines that the  
17 presence of a particular visitor would endanger the  
18 health or safety of a patient, member of the health facility  
19 staff, or other visitor to the health facility, or would  
20 significantly disrupt the operations of a facility.

21 (3) The patient has indicated to health facility staff  
22 that the patient does not want this person to visit.

23 (b) This section may not be construed to prohibit a  
24 health facility from otherwise establishing reasonable  
25 restrictions upon visitation, including restrictions upon  
26 the hours of visitation and number of visitors.

27 (c) As used in this section, "domestic partner" has the  
28 meaning provided in Section 37 of the Probate Code.

29 SEC. 3. Section 37 is added to the Probate Code, to  
30 read:

31 37. "Domestic partner" means a person who has filed  
32 a "Declaration of Domestic Partnership" with the  
33 Secretary of State pursuant to Division 2.5 (commencing  
34 with Section 297) of the Family Code as long as that  
35 domestic partnership has not been terminated pursuant  
36 to Section 299 of the Family Code.

37 SEC. 4. Section 1460 of the Probate Code is amended  
38 to read:

39 1460. (a) Subject to Sections 1202 and 1203, if notice  
40 of hearing is required under this division but the



1 applicable provision does not fix the manner of giving  
2 notice of hearing, the notice of the time and place of the  
3 hearing shall be given at least 15 days before the day of  
4 the hearing as provided in this section.

5 (b) Subject to subdivision (e), the petitioner, who  
6 includes for the purposes of this section a person filing a  
7 petition, report, or account, shall cause the notice of  
8 hearing to be mailed to each of the following persons:

9 (1) The guardian or conservator.

10 (2) The ward or the conservatee.

11 (3) The spouse of the ward or conservatee, if the ward  
12 or conservatee has a spouse, or the domestic partner of  
13 the conservatee, if the conservatee has a domestic  
14 partner.

15 (4) Any person who has requested special notice of the  
16 matter, as provided in Section 2700.

17 (5) For any hearing on a petition to terminate a  
18 guardianship, to accept the resignation of, or to remove  
19 the guardian, the persons described in subdivision (c) of  
20 Section 1510.

21 (6) For any hearing on a petition to terminate a  
22 conservatorship, to accept the resignation of, or to  
23 remove the conservator, the persons described in  
24 subdivision (b) of Section 1821.

25 (c) The clerk of the court shall cause the notice of the  
26 hearing to be posted as provided in Section 1230 if the  
27 posting is required by subdivision (c) of Section 2543  
28 (sales).

29 (d) Except as provided in subdivision (e), nothing in  
30 this section excuses compliance with the requirements  
31 for notice to a person who has requested special notice  
32 pursuant to Chapter 10 (commencing with Section 2700)  
33 of Part 4.

34 (e) The court for good cause may dispense with the  
35 notice otherwise required to be given to a person as  
36 provided in this section.

37 SEC. 5. Section 1811 of the Probate Code is amended  
38 to read:

39 1811. (a) The spouse, domestic partner, or an adult  
40 child, parent, brother, or sister of the proposed



1 conservatee may nominate a conservator in the petition  
2 or at the hearing on the petition.

3 (b) The spouse, domestic partner, or a parent of the  
4 proposed conservatee may nominate a conservator in a  
5 writing signed either before or after the petition is filed  
6 and that nomination remains effective notwithstanding  
7 the subsequent legal incapacity or death of the spouse,  
8 domestic partner, or parent, except that a nomination by  
9 the spouse becomes void upon dissolution or an  
10 adjudication of nullity of their marriage and a nomination  
11 by a domestic partner becomes void upon termination of  
12 the domestic partnership.

13 SEC. 6. Section 1812 of the Probate Code is amended  
14 to read:

15 1812. (a) Subject to Sections 1810 and 1813, the  
16 selection of a conservator of the person or estate, or both,  
17 is solely in the discretion of the court and, in making the  
18 selection, the court is to be guided by what appears to be  
19 for the best interests of the proposed conservatee.

20 (b) Subject to Sections 1810 and 1813, of persons  
21 equally qualified in the opinion of the court to  
22 appointment as conservator of the person or estate or  
23 both, preference is to be given in the following order:

24 (1) The spouse or domestic partner of the proposed  
25 conservatee or the person nominated by the spouse or  
26 domestic partner pursuant to Section 1811.

27 (2) An adult child of the proposed conservatee or the  
28 person nominated by the child pursuant to Section 1811.

29 (3) A parent of the proposed conservatee or the  
30 person nominated by the parent pursuant to Section 1811.

31 (4) A brother or sister of the proposed conservatee or  
32 the person nominated by the brother or sister pursuant  
33 to Section 1811.

34 (5) Any other person or entity eligible for  
35 appointment as a conservator under this code or, if there  
36 is no such person or entity willing to act as a conservator,  
37 under the Welfare and Institutions Code.

38 (c) The preference for any nominee for appointment  
39 under paragraphs (2), (3), and (4) of subdivision (b) is



1 subordinate to the preference for any other parent, child,  
2 brother, or sister in that class.

3 SEC. 7. Section 1820 of the Probate Code is amended  
4 to read:

5 1820. (a) A petition for the appointment of a  
6 conservator may be filed by any of the following:

7 (1) The proposed conservatee.

8 (2) The spouse or domestic partner of the proposed  
9 conservatee.

10 (3) A relative of the proposed conservatee.

11 (4) Any interested state or local entity or agency of this  
12 state or any interested public officer or employee of this  
13 state or of a local public entity of this state.

14 (5) Any other interested person or friend of the  
15 proposed conservatee.

16 (b) If the proposed conservatee is a minor, the petition  
17 may be filed during his or her minority so that the  
18 appointment of a conservator may be made effective  
19 immediately upon the minor's attaining the age of  
20 majority. An existing guardian of the minor may be  
21 appointed as conservator under this part upon the  
22 minor's attaining the age of majority, whether or not the  
23 guardian's accounts have been settled.

24 (c) A creditor of the proposed conservatee may not  
25 file a petition for appointment of a conservator unless the  
26 creditor is a person described in paragraph (2), (3), or (4)  
27 of subdivision (a).

28 SEC. 8. Section 1821 of the Probate Code is amended  
29 to read:

30 1821. (a) The petition shall request that a  
31 conservator be appointed for the person or estate, or  
32 both, shall specify the name, address, and telephone  
33 number of the proposed conservator and the name,  
34 address, and telephone number of the proposed  
35 conservatee, and state the reasons why a conservatorship  
36 is necessary. Unless the petitioner is a bank or other entity  
37 authorized to conduct the business of a trust company,  
38 the petitioner shall also file supplemental information as  
39 to why the appointment of a conservator is required. The  
40 supplemental information to be submitted shall include



1 a brief statement of facts addressed to each of the  
2 following categories:

3 (1) The inability of the proposed conservatee to  
4 properly provide for his or her needs for physical health,  
5 food, clothing, and shelter.

6 (2) The location of the proposed conservatee's  
7 residence and the ability of the proposed conservatee to  
8 live in the residence while under conservatorship.

9 (3) Alternatives to conservatorship considered by the  
10 petitioner and reasons why those alternatives are not  
11 available.

12 (4) Health or social services provided to the proposed  
13 conservatee during the year preceding the filing of the  
14 petition, when the petitioner has information as to those  
15 services.

16 (5) The inability of the proposed conservatee to  
17 substantially manage his or her own financial resources,  
18 or to resist fraud or undue influence.

19 The facts required to address the categories set forth in  
20 paragraphs (1) to (5), inclusive, shall be set forth by the  
21 petitioner when he or she has knowledge of the facts or  
22 by the declarations or affidavits of other persons having  
23 knowledge of those facts.

24 Where any of the categories set forth in paragraphs (1)  
25 to (5), inclusive, are not applicable to the proposed  
26 conservatorship, the petitioner shall so indicate and state  
27 on the supplemental information form the reasons  
28 therefor.

29 The Judicial Council shall develop a supplemental  
30 information form for the information required pursuant  
31 to paragraphs (1) to (5), inclusive, after consultation with  
32 individuals or organizations approved by the Judicial  
33 Council, who represent public conservators, court  
34 investigators, the State Bar, specialists with experience in  
35 performing assessments and coordinating  
36 community-based services, and legal services for the  
37 elderly and disabled.

38 The supplemental information form shall be separate  
39 and distinct from the form for the petition. The  
40 supplemental information shall be confidential and shall



1 be made available only to parties, persons given notice of  
2 the petition who have requested this supplemental  
3 information or who have appeared in the proceedings,  
4 their attorneys, and the court. The court shall have  
5 discretion at any other time to release the supplemental  
6 information to other persons if it would serve the interests  
7 of the conservatee. The county clerk shall make provision  
8 for limiting disclosure of the supplemental information  
9 exclusively to persons entitled thereto under this section.

10 (b) The petition shall set forth, so far as they are known  
11 to the petitioner, the names and addresses of the spouse  
12 or domestic partner, and of the relatives of the proposed  
13 conservatee within the second degree. If no spouse or  
14 domestic partner of the proposed conservatee, or  
15 relatives of the proposed conservatee within the second  
16 degree are known to the petitioner, the petition shall set  
17 forth, so far as they are known to the petitioner, the names  
18 and addresses of the following persons who, for the  
19 purposes of Section 1822, shall all be deemed to be  
20 relatives:

21 (1) A spouse or domestic partner of a predeceased  
22 parent of a proposed conservatee.

23 (2) The children of a predeceased spouse or domestic  
24 partner of a proposed conservatee.

25 (3) The siblings of the proposed conservatee's parents,  
26 if any, but if none, then the natural and adoptive children  
27 of the proposed conservatee's parents' siblings.

28 (4) The natural and adoptive children of the proposed  
29 conservatee's siblings.

30 (c) If the petition is filed by a person other than the  
31 proposed conservatee, the petition shall state whether or  
32 not the petitioner is a creditor or debtor, or the agent of  
33 a creditor or debtor, of the proposed conservatee.

34 (d) If the proposed conservatee is a patient in or on  
35 leave of absence from a state institution under the  
36 jurisdiction of the State Department of Mental Health or  
37 the State Department of Developmental Services and  
38 that fact is known to the petitioner, the petition shall state  
39 that fact and name the institution.



1 (e) The petition shall state, so far as is known to the  
2 petitioner, whether or not the proposed conservatee is  
3 receiving or is entitled to receive benefits from the  
4 Veterans Administration and the estimated amount of  
5 the monthly benefit payable by the Veterans  
6 Administration for the proposed conservatee.

7 (f) The petition may include an application for any  
8 order or orders authorized under this division, including,  
9 but not limited to, orders under Chapter 4 (commencing  
10 with Section 1870).

11 (g) The petition may include a further statement that  
12 the proposed conservatee is not willing to attend the  
13 hearing on the petition, does not wish to contest the  
14 establishment of the conservatorship, and does not object  
15 to the proposed conservator or prefer that another person  
16 act as conservator.

17 (h) In the case of an allegedly developmentally  
18 disabled adult the petition shall set forth the following:

19 (1) The nature and degree of the alleged disability, the  
20 specific duties and powers requested by or for the limited  
21 conservator, and the limitations of civil and legal rights  
22 requested to be included in the court's order of  
23 appointment.

24 (2) Whether or not the proposed limited conservatee  
25 is or is alleged to be developmentally disabled.

26 Reports submitted pursuant to Section 416.8 of the  
27 Health and Safety Code meet the requirements of this  
28 section, and conservatorships filed pursuant to Article 7.5  
29 (commencing with Section 416) of Part 1 of Division 1 of  
30 the Health and Safety Code are exempt from providing  
31 the supplemental information required by this section, so  
32 long as the guidelines adopted by the State Department  
33 of Developmental Services for regional centers require  
34 the same information which is required pursuant to this  
35 section.

36 SEC. 9. Section 1822 of the Probate Code is amended  
37 to read:

38 1822. (a) At least 15 days before the hearing on the  
39 petition for appointment of a conservator, notice of the  
40 time and place of the hearing shall be given as provided



1 in this section. The notice shall be accompanied by a copy  
2 of the petition. The court may not shorten the time for  
3 giving the notice of hearing under this section.

4 (b) Notice shall be mailed to the following persons:

5 (1) The spouse, if any, or domestic partner, if any, of  
6 the proposed conservatee at the address stated in the  
7 petition.

8 (2) The relatives named in the petition at their  
9 addresses stated in the petition.

10 (c) If notice is required by Section 1461 to be given to  
11 the Director of Mental Health or the Director of  
12 Developmental Services, notice shall be mailed as so  
13 required.

14 (d) If the petition states that the proposed conservatee  
15 is receiving or is entitled to receive benefits from the  
16 Veterans Administration, notice shall be mailed to the  
17 office of the Veterans Administration referred to in  
18 Section 1461.5.

19 (e) If the proposed conservatee is a person with  
20 developmental disabilities, at least 30 days before the day  
21 of the hearing on the petition, the petitioner shall mail a  
22 notice of the hearing and a copy of the petition to the  
23 regional center identified in Section 1827.5.

24 SEC. 10. Section 1829 of the Probate Code is amended  
25 to read:

26 1829. Any of the following persons may appear at the  
27 hearing to support or oppose the petition:

28 (a) The proposed conservatee.

29 (b) The spouse or domestic partner of the proposed  
30 conservatee.

31 (c) A relative of the proposed conservatee.

32 (d) Any interested person or friend of the proposed  
33 conservatee.

34 SEC. 11. Section 1861 of the Probate Code is amended  
35 to read:

36 1861. (a) A petition for the termination of the  
37 conservatorship may be filed by any of the following:

38 (1) The conservator.

39 (2) The conservatee.





1 (3) The spouse, or domestic partner, or any relative or  
2 friend of the conservatee or other interested person.

3 (b) The petition shall state facts showing that the  
4 conservatorship is no longer required.

5 SEC. 12. Section 1863 of the Probate Code is amended  
6 to read:

7 1863. (a) The court shall hear and determine the  
8 matter according to the law and procedure relating to the  
9 trial of civil actions, including trial by jury if demanded.  
10 The conservator, the conservatee, or the spouse, or  
11 domestic partner, or any relative or friend of the  
12 conservatee or other interested person may appear and  
13 support or oppose the petition.

14 (b) If the court determines that the conservatorship is  
15 no longer required or that grounds for establishment of  
16 a conservatorship of the person or estate, or both, no  
17 longer exist, the court shall make this finding and shall  
18 enter judgment terminating the conservatorship  
19 accordingly.

20 (c) At the hearing, or thereafter on further notice and  
21 hearing, the conservator may be discharged and the bond  
22 given by the conservator may be exonerated upon the  
23 settlement and approval of the conservator's final  
24 account by the court.

25 (d) Termination of conservatorship does not preclude  
26 a new proceeding for appointment of a conservator on  
27 the same or other grounds.

28 SEC. 13. Section 1871 of the Probate Code is amended  
29 to read:

30 1871. Nothing in this article shall be construed to deny  
31 a conservatee any of the following:

32 (a) The right to control an allowance provided under  
33 Section 2421.

34 (b) The right to control wages or salary to the extent  
35 provided in Section 2601.

36 (c) The right to make a will.

37 (d) The right to enter into transactions to the extent  
38 reasonable to provide the necessities of life to the  
39 conservatee and the spouse and minor children of the  
40 conservatee and to provide the basic living expenses, as



1 defined in Section 297.5 of the Family Code, to the  
2 domestic partner of the conservatee.

3 SEC. 14. Section 1873 of the Probate Code is amended  
4 to read:

5 1873. (a) In the order appointing the conservator or  
6 upon a petition filed under Section 1874, the court may by  
7 order authorize the conservatee, subject to Section 1876,  
8 to enter into transactions or types of transactions as may  
9 be appropriate in the circumstances of the particular  
10 conservatee and conservatorship estate. The court, by  
11 order, may modify the legal capacity a conservatee would  
12 otherwise have under Section 1872 by broadening or  
13 restricting the power of the conservatee to enter into  
14 transactions or types of transactions as may be  
15 appropriate in the circumstances of the particular  
16 conservatee and conservatorship estate.

17 (b) In an order made under this section, the court may  
18 include limitations or conditions on the exercise of the  
19 authority granted to the conservatee as the court  
20 determines to be appropriate including, but not limited  
21 to, the following:

22 (1) A requirement that for specific types of  
23 transactions or for all transactions authorized by the  
24 order, the conservatee obtain prior approval of the  
25 transaction by the court or conservator before exercising  
26 the authority granted by the order.

27 (2) A provision that the conservator has the right to  
28 avoid any transaction made by the conservatee pursuant  
29 to the authority of the order if the transaction is not one  
30 into which a reasonably prudent person might enter.

31 (c) The court, in its discretion, may provide in the  
32 order that, unless extended by subsequent order of the  
33 court, the order or specific provisions of the order  
34 terminate at a time specified in the order.

35 (d) An order under this section continues in effect  
36 until the earliest of the following times:

37 (1) The time specified in the order, if any.

38 (2) The time the order is modified or revoked.

39 (3) The time the conservatorship of the estate is  
40 terminated.



1 (e) An order under this section may be modified or  
2 revoked upon petition filed by the conservator,  
3 conservatee, the spouse or domestic partner of the  
4 conservatee, or any relative or friend of the conservatee,  
5 or any interested person. Notice of the hearing on the  
6 petition shall be given for the period and in the manner  
7 provided in Chapter 3 (commencing with Section 1460)  
8 of Part 1.

9 SEC. 15. Section 1874 of the Probate Code is amended  
10 to read:

11 1874. (a) After a conservator has been appointed, a  
12 petition requesting an order under Section 1873 may be  
13 filed by any of the following:

- 14 (1) The conservator.
- 15 (2) The conservatee.
- 16 (3) The spouse, domestic partner, or any relative or  
17 friend of the conservatee.

18 (b) Notice of the hearing on the petition shall be given  
19 for the period and in the manner provided in Chapter 3  
20 (commencing with Section 1460) of Part 1.

21 SEC. 16. Section 1891 of the Probate Code is amended  
22 to read:

23 1891. (a) A petition may be filed under this article  
24 requesting that the court make an order under Section  
25 1880 or that the court modify or revoke an order made  
26 under Section 1880. The petition shall state facts showing  
27 that the order requested is appropriate.

- 28 (b) The petition may be filed by any of the following:
- 29 (1) The conservator.
  - 30 (2) The conservatee.
  - 31 (3) The spouse, domestic partner, or any relative or  
32 friend of the conservatee.

33 (c) The petition shall set forth, so far as they are known  
34 to the petitioner, the names and addresses of the spouse  
35 or domestic partner and of the relatives of the  
36 conservatee within the second degree.

37 SEC. 17. Section 1895 of the Probate Code is amended  
38 to read:

39 1895. (a) The conservatee, the spouse, the domestic  
40 partner, any relative, or any friend of the conservatee, the



1 conservator, or any other interested person may appear  
2 at the hearing to support or oppose the petition.

3 (b) Except where the conservatee is absent from the  
4 hearing and is not required to attend the hearing under  
5 the provisions of Section 1893 and any showing required  
6 by Section 1893 has been made, the court shall, prior to  
7 granting the petition, inform the conservatee of all of the  
8 following:

9 (1) The nature and purpose of the proceeding.

10 (2) The nature and effect on the conservatee’s basic  
11 rights of the order requested.

12 (3) The conservatee has the right to oppose the  
13 petition, to be represented by legal counsel if the  
14 conservatee so chooses, and to have legal counsel  
15 appointed by the court if unable to retain legal counsel.

16 (c) After the court informs the conservatee of the  
17 matters listed in subdivision (b) and prior to granting the  
18 petition, the court shall consult the conservatee to  
19 determine the conservatee’s opinion concerning the  
20 order requested in the petition.

21 SEC. 18. Section 2212 of the Probate Code is amended  
22 to read:

23 2212. The petition for transfer may be filed only by  
24 one or more of the following:

25 (a) The guardian or conservator.

26 (b) The ward or conservatee.

27 (c) The spouse of the ward or the spouse or domestic  
28 partner of the conservatee.

29 (d) A relative or friend of the ward or conservatee.

30 (e) Any other interested person.

31 SEC. 19. Section 2213 of the Probate Code is amended  
32 to read:

33 2213. The petition for transfer shall set forth all of the  
34 following:

35 (a) The county to which the proceeding is to be  
36 transferred.

37 (b) The name and address of the ward or conservatee.

38 (c) A brief description of the character, value, and  
39 location of the property of the ward or conservatee.

40 (d) The reasons for the transfer.



1 (e) The names and addresses, so far as they are known  
2 to the petitioner, of the spouse and of the relatives of the  
3 ward within the second degree, or of the spouse or  
4 domestic partner and of the relatives of the conservatee  
5 within the second degree.

6 (f) The name and address of the guardian or  
7 conservator if other than the petitioner.

8 SEC. 20. Section 2357 of the Probate Code is amended  
9 to read:

10 2357. (a) As used in this section:

11 (1) “Guardian or conservator” includes a temporary  
12 guardian of the person or a temporary conservator of the  
13 person.

14 (2) “Ward or conservatee” includes a person for whom  
15 a temporary guardian of the person or temporary  
16 conservator of the person has been appointed.

17 (b) If the ward or conservatee requires medical  
18 treatment for an existing or continuing medical condition  
19 which is not authorized to be performed upon the ward  
20 or conservatee under Section 2252, 2353, 2354, or 2355,  
21 and the ward or conservatee is unable to give an informed  
22 consent to this medical treatment, the guardian or  
23 conservator may petition the court under this section for  
24 an order authorizing the medical treatment and  
25 authorizing the guardian or conservator to consent on  
26 behalf of the ward or conservatee to the medical  
27 treatment.

28 (c) The petition shall state, or set forth by medical  
29 affidavit attached thereto, all of the following so far as is  
30 known to the petitioner at the time the petition is filed:

31 (1) The nature of the medical condition of the ward or  
32 conservatee which requires treatment.

33 (2) The recommended course of medical treatment  
34 which is considered to be medically appropriate.

35 (3) The threat to the health of the ward or conservatee  
36 if authorization to consent to the recommended course of  
37 treatment is delayed or denied by the court.

38 (4) The predictable or probable outcome of the  
39 recommended course of treatment.



1 (5) The medically available alternatives, if any, to the  
2 course of treatment recommended.

3 (6) The efforts made to obtain an informed consent  
4 from the ward or conservatee.

5 (d) Upon the filing of the petition, the court shall  
6 notify the attorney of record for the ward or conservatee,  
7 if any, or shall appoint the public defender or private  
8 counsel under Section 1471, to consult with and represent  
9 the ward or conservatee at the hearing on the petition  
10 and, if that appointment is made, Section 1472 applies.

11 (e) The hearing on the petition may be held pursuant  
12 to an order of the court prescribing the notice to be given  
13 of the hearing. The order shall specify the period of notice  
14 of the hearing and the period so fixed shall take into  
15 account (1) the existing medical facts and circumstances  
16 set forth in the petition or in a medical affidavit attached  
17 to the petition or in a medical affidavit presented to the  
18 court and (2) the desirability, where the condition of the  
19 ward or conservatee permits, of giving adequate notice  
20 to all interested persons.

21 (f) A copy of the notice of hearing or of the order  
22 prescribing notice of hearing, and a copy of the petition,  
23 shall be personally served or mailed, as prescribed in the  
24 order, on all of the following:

25 (1) The ward or conservatee.

26 (2) The attorney of record for the ward or  
27 conservatee, if any, or the attorney appointed by the  
28 court to represent the ward or conservatee at the hearing.

29 (3) Such other persons, if any, as the court in its  
30 discretion may require in the order, which may include  
31 the spouse of the ward, the spouse or domestic partner of  
32 the conservatee, and any known relatives of the ward or  
33 conservatee within the second degree.

34 (g) Notwithstanding subdivisions (e) and (f), the  
35 matter may be submitted for the determination of the  
36 court upon proper and sufficient medical affidavits or  
37 declarations if the attorney for the petitioner and the  
38 attorney for the ward or conservatee so stipulate and  
39 further stipulate that there remains no issue of fact to be  
40 determined.



1 (h) The court may make an order authorizing the  
2 recommended course of medical treatment of the ward  
3 or conservatee and authorizing the guardian or  
4 conservator to consent on behalf of the ward or  
5 conservatee to the recommended course of medical  
6 treatment for the ward or conservatee if the court  
7 determines from the evidence all of the following:

8 (1) The existing or continuing medical condition of  
9 the ward or conservatee requires the recommended  
10 course of medical treatment.

11 (2) If untreated, there is a probability that the  
12 condition will become life-endangering or result in a  
13 serious threat to the physical or mental health of the ward  
14 or conservatee.

15 (3) The ward or conservatee is unable to give an  
16 informed consent to the recommended course of  
17 treatment.

18 (i) Upon petition of the ward or conservatee or other  
19 interested person, the court may order that the guardian  
20 or conservator obtain or consent to, or obtain and consent  
21 to, specified medical treatment to be performed upon the  
22 ward or conservatee. Notice of the hearing on the petition  
23 under this subdivision shall be given for the period and in  
24 the manner provided in Chapter 3 (commencing with  
25 Section 1460) of Part 1.

26 SEC. 21. Section 2423 of the Probate Code is amended  
27 to read:

28 2423. (a) Upon petition of the conservator, the  
29 conservatee, the spouse or domestic partner of the  
30 conservatee, or a relative within the second degree of the  
31 conservatee, the court may by order authorize or direct  
32 the conservator to pay and distribute surplus income of  
33 the estate or any part of the surplus income (not used for  
34 the support, maintenance, and education of the  
35 conservatee and of those legally entitled to support,  
36 maintenance, or education from the conservatee) to the  
37 spouse or domestic partner of the conservatee and to  
38 relatives within the second degree of the conservatee  
39 whom the conservatee would, in the judgment of the  
40 court, have aided but for the existence of the



1 conservatorship. The court in ordering payments under  
2 this section may impose conditions if the court  
3 determines that the conservatee would have imposed the  
4 conditions if the conservatee had the capacity to act.

5 (b) The granting of the order and the amounts and  
6 proportions of the payments are discretionary with the  
7 court, but the court shall consider all of the following:

8 (1) The amount of surplus income available after  
9 adequate provision has been made for the comfortable  
10 and suitable support, maintenance, and education of the  
11 conservatee and of those legally entitled to support,  
12 maintenance, or education from the conservatee.

13 (2) The circumstances and condition of life to which  
14 the conservatee and the spouse or domestic partner and  
15 relatives have been accustomed.

16 (3) The amount that the conservatee would in the  
17 judgment of the court have allowed the spouse or  
18 domestic partner and relatives but for the existence of the  
19 conservatorship.

20 (c) Notice of the hearing on the petition shall be given  
21 for the period and in the manner provided in Chapter 3  
22 (commencing with Section 1460) of Part 1.

23 SEC. 22. Section 2430 of the Probate Code is amended  
24 to read:

25 2430. (a) Subject to subdivisions (b) and (c), the  
26 guardian or conservator shall pay the following from any  
27 principal and income of the estate:

28 (1) The debts incurred by the ward or conservatee  
29 before creation of the guardianship or conservatorship,  
30 giving priority to the debts described in Section 2431 to  
31 the extent required by that section.

32 (2) The debts incurred by the ward or conservatee  
33 during the guardianship or conservatorship to provide  
34 the necessities of life to the ward or conservatee, and to  
35 the spouse and minor children of the ward or  
36 conservatee, to the extent the debt is reasonable. Also, the  
37 debts reasonably incurred by the conservatee during the  
38 conservatorship to provide the basic living expenses, as  
39 defined in Section 297 of the Family Code, to the domestic  
40 partner of the conservatee. The guardian or conservator





1 may deduct the amount of any payments for these debts  
2 from any allowance otherwise payable to the ward or  
3 conservatee.

4 (3) In the case of a conservatorship, any other debt  
5 incurred by the conservatee during the conservatorship  
6 only if the debt satisfies the requirements of any order  
7 made under Chapter 4 (commencing with Section 1870)  
8 of Part 3.

9 (4) The reasonable expenses incurred in the  
10 collection, care, and administration of the estate, but  
11 court authorization is required for payment of  
12 compensation to any of the following:

13 (A) The guardian or conservator of the person or  
14 estate or both.

15 (B) An attorney for the guardian or conservator of the  
16 person or estate or both.

17 (C) An attorney for the ward or conservatee.

18 (D) An attorney for the estate.

19 (E) The public guardian for the costs and fee under  
20 Section 2902.

21 (b) The payments provided for by paragraph (3) of  
22 subdivision (a) are not required to be made to the extent  
23 the payments would impair the ability to provide the  
24 necessities of life to the conservatee and the spouse and  
25 minor children of the conservatee and to provide the  
26 basic living expenses, as defined in Section 297 of the  
27 Family Code, of the domestic partner of the conservatee.

28 (c) The guardian or conservator may petition the  
29 court under Section 2403 for instructions when there is  
30 doubt whether a debt should be paid under this section.

31 SEC. 23. Section 2504 of the Probate Code is amended  
32 to read:

33 2504. Court approval is required for the compromise  
34 or settlement of any of the following:

35 (a) A claim for the support, maintenance, or education  
36 of (1) the ward or conservatee, or (2) a person whom the  
37 ward or conservatee is legally obligated to support,  
38 maintain, or educate, against any other person  
39 (including, but not limited to, the spouse or parent of the



1 ward or the spouse, domestic partner, parent, or adult  
2 child of the conservatee).

3 (b) A claim of the ward or conservatee for wrongful  
4 death.

5 (c) A claim of the ward or conservatee for physical or  
6 nonphysical harm to the person.

7 SEC. 24. Section 2572 of the Probate Code is amended  
8 to read:

9 2572. An order authorizing the guardian or  
10 conservator to purchase real property may authorize the  
11 guardian or conservator to join with the spouse of the  
12 ward or the spouse or domestic partner of the  
13 conservatee or with any other person or persons in the  
14 purchase of the real property, or an interest, equity, or  
15 estate therein, in severalty, in common, in community, or  
16 in joint tenancy, for cash or upon a credit or for part cash  
17 and part credit. When the court authorizes the purchase  
18 of real property, the court may order the guardian or  
19 conservator to execute all necessary instruments and  
20 commitments to complete the transaction.

21 SEC. 25. Section 2580 of the Probate Code is amended  
22 to read:

23 2580. (a) The conservator or other interested person  
24 may file a petition under this article for an order of the  
25 court authorizing or requiring the conservator to take a  
26 proposed action for any one or more of the following  
27 purposes:

28 (1) Benefiting the conservatee or the estate.

29 (2) Minimizing current or prospective taxes or  
30 expenses of administration of the conservatorship estate  
31 or of the estate upon the death of the conservatee.

32 (3) Providing gifts for any purposes, and to any  
33 charities, relatives (including the other spouse or  
34 domestic partner), friends, or other objects of bounty, as  
35 would be likely beneficiaries of gifts from the  
36 conservatee.

37 (b) The action proposed in the petition may include,  
38 but is not limited to, the following:

39 (1) Making gifts of principal or income, or both, of the  
40 estate, outright or in trust.



1 (2) Conveying or releasing the conservatee's  
2 contingent and expectant interests in property, including  
3 marital property rights and any right of survivorship  
4 incident to joint tenancy or tenancy by the entirety.

5 (3) Exercising or releasing the conservatee's powers as  
6 donee of a power of appointment.

7 (4) Entering into contracts.

8 (5) Creating for the benefit of the conservatee or  
9 others, revocable or irrevocable trusts of the property of  
10 the estate, which trusts may extend beyond the  
11 conservatee's disability or life. A special needs trust for  
12 money paid pursuant to a compromise or judgment for a  
13 conservatee may be established only under Chapter 4  
14 (commencing with Section 3600) of Part 8, and not under  
15 this article.

16 (6) Transferring to a trust created by the conservator  
17 or conservatee any property unintentionally omitted  
18 from the trust.

19 (7) Exercising options of the conservatee to purchase  
20 or exchange securities or other property.

21 (8) Exercising the rights of the conservatee to elect  
22 benefit or payment options, to terminate, to change  
23 beneficiaries or ownership, to assign rights, to borrow, or  
24 to receive cash value in return for a surrender of rights  
25 under any of the following:

26 (A) Life insurance policies, plans, or benefits.

27 (B) Annuity policies, plans, or benefits.

28 (C) Mutual fund and other dividend investment plans.

29 (D) Retirement, profit sharing, and employee welfare  
30 plans and benefits.

31 (9) Exercising the right of the conservatee to elect to  
32 take under or against a will.

33 (10) Exercising the right of the conservatee to disclaim  
34 any interest that may be disclaimed under Part 8  
35 (commencing with Section 260) of Division 2.

36 (11) Exercising the right of the conservatee (A) to  
37 revoke a revocable trust or (B) to surrender the right to  
38 revoke a revocable trust, but the court shall not authorize  
39 or require the conservator to exercise the right to revoke  
40 a revocable trust if the instrument governing the trust (i)



1 evidences an intent to reserve the right of revocation  
2 exclusively to the conservatee, (ii) provides expressly  
3 that a conservator may not revoke the trust, or (iii)  
4 otherwise evidences an intent that would be inconsistent  
5 with authorizing or requiring the conservator to exercise  
6 the right to revoke the trust.

7 (12) Making an election referred to in Section 13502 or  
8 an election and agreement referred to in Section 13503.

9 (13) Making a will.

10 SEC. 26. Section 2614.5 of the Probate Code is  
11 amended to read:

12 2614.5. (a) If the guardian or conservator fails to file  
13 an inventory and appraisal within the time allowed by law  
14 or by court order, upon request of the ward or  
15 conservatee, the spouse of the ward or the spouse or  
16 domestic partner of the conservatee, any relative or  
17 friend of the ward or conservatee, or any interested  
18 person, the court shall order the guardian or conservator  
19 to file the inventory and appraisal within the time  
20 prescribed in the order or to show cause why the guardian  
21 or conservator should not be removed. The person who  
22 requested the order shall serve it upon the guardian or  
23 conservator in the manner provided in Section 415.10 or  
24 415.30 of the Code of Civil Procedure or in a manner as  
25 is ordered by the court.

26 (b) If the guardian or conservator fails to file the  
27 inventory and appraisal as required by the order within  
28 the time prescribed in the order, unless good cause is  
29 shown for not doing so, the court, on its own motion or on  
30 petition, may remove the guardian or conservator,  
31 revoke the letters of guardianship or conservatorship, and  
32 enter judgment accordingly, and order the guardian or  
33 conservator to file an account and to surrender the estate  
34 to the person legally entitled thereto.

35 (c) The procedure provided in this section is optional  
36 and does not preclude the use of any other remedy or  
37 sanction when an inventory and appraisal is not timely  
38 filed.

39 SEC. 27. Section 2622 of the Probate Code is amended  
40 to read:



1 2622. The ward or conservatee, the spouse of the ward  
2 or the spouse or domestic partner of the conservatee, any  
3 relative or friend of the ward or conservatee, or any  
4 creditor or other interested person may file written  
5 objections to the account of the guardian or conservator,  
6 stating the items of the account to which objection is  
7 made and the basis for the objection.

8 SEC. 28. Section 2651 of the Probate Code is amended  
9 to read:

10 2651. The ward or conservatee, the spouse of the ward  
11 or the spouse or domestic partner of the conservatee, any  
12 relative or friend of the ward or conservatee, or any  
13 interested person may apply by petition to the court to  
14 have the guardian or conservator removed. The petition  
15 shall state facts showing cause for removal.

16 SEC. 29. Section 2653 of the Probate Code is amended  
17 to read:

18 2653. (a) The guardian or conservator, the ward or  
19 conservatee, the spouse of the ward or the spouse or  
20 domestic partner of the conservatee, any relative or  
21 friend of the ward or conservatee, and any interested  
22 person, may appear at the hearing and support or oppose  
23 the petition.

24 (b) If the court determines that cause for removal of  
25 the guardian or conservator exists, the court may remove  
26 the guardian or conservator, revoke the letters of  
27 guardianship or conservatorship, and enter judgment  
28 accordingly and, in the case of a guardianship or  
29 conservatorship of the estate, order the guardian or  
30 conservator to file an account and to surrender the estate  
31 to the person legally entitled thereto. If the guardian or  
32 conservator fails to file the account as ordered, the court  
33 may compel the account pursuant to Section 2629.

34 SEC. 30. Section 2681 of the Probate Code is amended  
35 to read:

36 2681. A petition for appointment of a successor  
37 conservator may be filed by any of the following:

38 (a) The conservatee.

39 (b) The spouse or domestic partner of the  
40 conservatee.



1 (c) A relative of the conservatee.

2 (d) Any interested state or local entity or agency of  
3 this state or any interested public officer or employee of  
4 this state or of a local public entity of this state.

5 (e) Any other interested person or friend of the  
6 conservatee.

7 SEC. 31. Section 2682 of the Probate Code is amended  
8 to read:

9 2682. (a) The petition shall request that a successor  
10 conservator be appointed for the person or estate, or  
11 both, and shall specify the name and address of the  
12 proposed successor conservator and the name and  
13 address of the conservatee.

14 (b) The petition shall set forth, so far as they are known  
15 to the petitioner, the names and addresses of the spouse  
16 or domestic partner and of the relatives of the  
17 conservatee within the second degree.

18 (c) If the petition is filed by one other than the  
19 conservatee, the petition shall state whether or not the  
20 petitioner is a creditor or debtor of the conservatee.

21 (d) If the conservatee is a patient in or on leave of  
22 absence from a state institution under the jurisdiction of  
23 the State Department of Mental Health or the State  
24 Department of Developmental Services and that fact is  
25 known to the petitioner, the petition shall state that fact  
26 and name the institution.

27 (e) The petition shall state, so far as is known to the  
28 petitioner, whether or not the conservatee is receiving or  
29 is entitled to receive benefits from the Veterans  
30 Administration and the estimated amount of the monthly  
31 benefit payable by the Veterans Administration for the  
32 conservatee.

33 (f) The petition shall state whether or not the  
34 conservatee will be present at the hearing.

35 SEC. 32. Section 2687 of the Probate Code is amended  
36 to read:

37 2687. The conservatee, the spouse, the domestic  
38 partner, or any relative or friend of the conservatee, or  
39 any other interested person may appear at the hearing to  
40 support or oppose the petition.



1 SEC. 33. Section 2700 of the Probate Code is amended  
2 to read:

3 2700. (a) At any time after the issuance of letters of  
4 guardianship or conservatorship, the ward, if over 14  
5 years of age or the conservatee, the spouse of the ward or  
6 the spouse or domestic partner of the conservatee, any  
7 relative or creditor of the ward or conservatee, or any  
8 other interested person, in person or by attorney, may file  
9 with the court clerk a written request for special notice.

10 (b) The request for special notice shall be so entitled  
11 and shall set forth the name of the person and the address  
12 to where notices shall be sent.

13 (c) Special notice may be requested of any one or  
14 more of the following matters:

15 (1) Petitions filed in the guardianship or  
16 conservatorship proceeding.

17 (2) Inventories and appraisals of property in the  
18 estate, including any supplemental inventories and  
19 appraisals.

20 (3) Accounts of the guardian or conservator.

21 (4) Proceedings for the final termination of the  
22 guardianship or conservatorship proceeding.

23 (d) Special notice may be requested of:

24 (1) Any one or more of the matters in subdivision (c)  
25 by describing the matter or matters.

26 (2) All the matters in subdivision (c) by referring  
27 generally to “the matters described in subdivision (c) of  
28 Section 2700 of the Probate Code” or by using words of  
29 similar meaning.

30 (e) A copy of the request shall be personally delivered  
31 or mailed to the guardian or conservator or to the  
32 attorney for the guardian or conservator. If personally  
33 delivered, the request is effective when it is delivered. If  
34 mailed, the request is effective when it is received.

35 (f) When the original of the request is filed with the  
36 court clerk, it shall be accompanied by a written  
37 admission or proof of service.

38 SEC. 34. Section 2803 of the Probate Code is amended  
39 to read:

40 2803. The petition shall set forth all of the following:



- 1 (a) The name and address of:
  - 2 (1) The foreign guardian or conservator, who may but
  - 3 need not be the guardian or conservator appointed in this
  - 4 state.
  - 5 (2) The ward or conservatee.
  - 6 (3) The guardian or conservator, so far as is known to
  - 7 the petitioner.
- 8 (b) The names, ages, and addresses, so far as they are
- 9 known to the petitioner, of the spouse of the ward or the
- 10 spouse or domestic partner of the conservatee and of
- 11 relatives of the ward or conservatee within the second
- 12 degree.
- 13 (c) A brief description of the character, condition,
- 14 value, and location of the personal property sought to be
- 15 transferred.
- 16 (d) A statement whether the foreign guardian or
- 17 conservator has agreed to accept the transfer of the
- 18 property. If the foreign guardian or conservator has so
- 19 agreed, the acceptance shall be attached as an exhibit to
- 20 the petition or otherwise filed with the court.
- 21 (e) A statement of the manner in which and by whom
- 22 the foreign guardian or conservator was appointed.
- 23 (f) A general statement of the qualifications of the
- 24 foreign guardian or conservator.
- 25 (g) The amount of bond, if any, of the foreign guardian
- 26 or conservator.
- 27 (h) A general statement of the nature and value of the
- 28 property of the ward or conservatee already under the
- 29 management or control of the foreign guardian or
- 30 conservator.
- 31 (i) The name of the court having jurisdiction of such
- 32 foreign guardian or conservator or of the accounts of such
- 33 foreign guardian or conservator or, if none, the court in
- 34 which a proceeding may be had with respect to the
- 35 guardianship or conservatorship if the property is
- 36 transferred.
- 37 (j) Whether there is any pending civil action in this
- 38 state against the guardian or conservator, the ward or
- 39 conservatee, or the estate.
- 40 (k) A statement of the reasons for the transfer.





1 SEC. 35. Section 2805 of the Probate Code is amended  
2 to read:

3 2805. Any of the following may appear and file  
4 written objections to the petition:

5 (a) Any person required to be listed in the petition.

6 (b) Any creditor of the ward or conservatee or of the  
7 estate.

8 (c) The spouse of the ward or the spouse or domestic  
9 partner of the conservatee, or any relative or friend of the  
10 ward or conservatee.

11 (d) Any other interested person.

12 ~~SEC. 36. Section 6240 of the Probate Code is amended~~  
13 ~~to read:~~

14 ~~6240. The following is the California Statutory Will~~  
15 ~~form:~~

16  
17 **QUESTIONS AND ANSWERS ABOUT THIS**  
18 **CALIFORNIA STATUTORY WILL**  
19

20 ~~The following information, in question and answer~~  
21 ~~form, is not a part of the California Statutory Will. It is~~  
22 ~~designed to help you understand about Wills and to~~  
23 ~~decide if this Will meets your needs. This Will is in a~~  
24 ~~simple form. The complete text of each paragraph of this~~  
25 ~~Will is printed at the end of the Will.~~

26  
27 ~~1. *What happens if I die without a Will?* If you die~~  
28 ~~without a Will, what you own (your “assets”) in your~~  
29 ~~name alone will be divided among your spouse, children,~~  
30 ~~or other relatives according to state law. The court will~~  
31 ~~appoint a relative to collect and distribute your assets. A~~  
32 ~~domestic partner will not have a right to inherit your~~  
33 ~~property without a Will.~~

34 ~~2. *What can a Will do for me?* In a Will you may~~  
35 ~~designate who will receive your assets at your death. You~~  
36 ~~may designate someone (called an “executor”) to appear~~  
37 ~~before the court, collect your assets, pay your debts and~~  
38 ~~taxes, and distribute your assets as you specify. You may~~  
39 ~~nominate someone (called a “guardian”) to raise your~~  
40 ~~children who are under age 18. You may designate~~



1 someone (called a “custodian”) to manage assets for your  
2 children until they reach any age between 18 and 25.

3 ~~3. Does a Will avoid probate? No. With or without a~~  
4 ~~Will, assets in your name alone usually go through the~~  
5 ~~court probate process. The court’s first job is to determine~~  
6 ~~if your Will is valid.~~

7 ~~4. What is community property? Can I give away my~~  
8 ~~share in my Will? If you are married and you or your~~  
9 ~~spouse earned money during your marriage from work~~  
10 ~~and wages, that money (and the assets bought with it) is~~  
11 ~~community property. Your Will can only give away your~~  
12 ~~one-half of community property. Your Will cannot give~~  
13 ~~away your spouse’s one-half of community property.~~

14 ~~5. Does my Will give away all of my assets? Do all~~  
15 ~~assets go through probate? No. Money in a joint tenancy~~  
16 ~~bank account automatically belongs to the other named~~  
17 ~~owner without probate. If your spouse, domestic partner,~~  
18 ~~or child is on the deed to your house as a joint tenant, the~~  
19 ~~house automatically passes to him or her. Life insurance~~  
20 ~~and retirement plan benefits may pass directly to the~~  
21 ~~named beneficiary. A Will does not necessarily control~~  
22 ~~how these types of “nonprobate” assets pass at your death.~~

23 ~~6. Are there different kinds of Wills? Yes. There are~~  
24 ~~handwritten Wills, typewritten Wills, attorney prepared~~  
25 ~~Wills, and statutory Wills. All are valid if done precisely~~  
26 ~~as the law requires. You should see a lawyer if you do not~~  
27 ~~want to use this statutory Will or if you do not understand~~  
28 ~~this form.~~

29 ~~7. Who may use this Will? This Will is based on~~  
30 ~~California law. It is designed only for California residents.~~  
31 ~~You may use this form if you are single, married, a~~  
32 ~~member of a domestic partnership, or divorced. You must~~  
33 ~~be age 18 or older and of sound mind.~~

34 ~~8. Are there any reasons why I should NOT use this~~  
35 ~~statutory Will? Yes. This is a simple Will. It is not designed~~  
36 ~~to reduce death taxes or other taxes. Talk to a lawyer to~~  
37 ~~do tax planning, especially if (i) your assets will be worth~~  
38 ~~more than \$600,000 at your death, (ii) you own~~  
39 ~~business-related assets, (iii) you want to create a trust~~  
40 ~~fund for your children’s education or other purposes, (iv)~~



1 you own assets in some other state, (v) you want to  
2 disinherit your spouse or descendants, or (vi) you have  
3 valuable interests in pension or profit-sharing plans. You  
4 should talk to a lawyer who knows about estate planning  
5 if this Will does not meet your needs. This Will treats most  
6 adopted children like natural children. You should talk to  
7 a lawyer if you have stepchildren or foster children whom  
8 you have not adopted.

9 *9. May I add or cross out any words on this Will?* No.  
10 If you do, the Will may be invalid or the court may ignore  
11 the crossed out or added words. You may only fill in the  
12 blanks. You may amend this Will by a separate document  
13 (called a codicil). Talk to a lawyer if you want to do  
14 something with your assets which is not allowed in this  
15 form.

16 *10. May I change my Will?* Yes. A Will is not effective  
17 until you die. You may make and sign a new Will. You may  
18 change your Will at any time, but only by an amendment  
19 (called a codicil). You can give away or sell your assets  
20 before your death. Your Will only acts on what you own  
21 at death.

22 *11. Where should I keep my Will?* After you and the  
23 witnesses sign the Will, keep your Will in your safe deposit  
24 box or other safe place. You should tell trusted family  
25 members where your Will is kept.

26 *12. When should I change my Will?* You should make  
27 and sign a new Will if you marry or divorce after you sign  
28 this Will. Divorce or annulment automatically cancels all  
29 property stated to pass to a former husband or wife under  
30 this Will, and revokes the designation of a former spouse  
31 as executor, custodian, or guardian. You should sign a new  
32 Will when you have more children, or if your spouse,  
33 domestic partner, or a child dies. You may want to change  
34 your Will if there is a large change in the value of your  
35 assets. You may also want to change your Will if you enter  
36 a domestic partnership or your domestic partnership has  
37 been terminated after you sign this Will.

38 *13. What can I do if I do not understand something in*  
39 *this Will?* If there is anything in this Will you do not  
40 understand, ask a lawyer to explain it to you.



1     ~~14. *What is an executor?* An “executor” is the person~~  
2 ~~you name to collect your assets, pay your debts and taxes,~~  
3 ~~and distribute your assets as the court directs. It may be~~  
4 ~~a person or it may a qualified bank or trust company.~~

5     ~~15. *Should I require a bond?* You may require that an~~  
6 ~~executor post a “bond.” A bond is a form of insurance to~~  
7 ~~replace assets that may be mismanaged or stolen by the~~  
8 ~~executor. The cost of the bond is paid from the estate’s~~  
9 ~~assets.~~

10    ~~16. *What is a guardian?* Do I need to designate one? If~~  
11 ~~you have children under age 18, you should designate a~~  
12 ~~guardian of their “persons” to raise them.~~

13    ~~17. *What is a custodian?* Do I need to designate one?~~  
14 ~~A “custodian” is a person you may designate to manage~~  
15 ~~assets for someone (including a child) who is between~~  
16 ~~ages 18 and 25 and who receives assets under your Will.~~  
17 ~~The custodian manages the assets and pays as much as the~~  
18 ~~custodian determines is proper for health, support,~~  
19 ~~maintenance, and education. The custodian delivers~~  
20 ~~what is left to the person when the person reaches the age~~  
21 ~~you choose (between 18 and 25). No bond is required of~~  
22 ~~a custodian.~~

23    ~~18. *Should I ask people if they are willing to serve*~~  
24 ~~*before I designate them as executor, guardian, or*~~  
25 ~~*custodian?* Probably yes. Some people and banks and~~  
26 ~~trust companies may not consent to serve or may not be~~  
27 ~~qualified to act.~~

28    ~~19. *What happens if I make a gift in this Will to*~~  
29 ~~*someone and they die before I do?* A person must survive~~  
30 ~~you by 120 hours to take a gift under this Will. If they do~~  
31 ~~not, then the gift fails and goes with the rest of your assets.~~  
32 ~~If the person who does not survive you is a relative of you~~  
33 ~~or your spouse, then certain assets may go to the relative’s~~  
34 ~~descendants.~~

35    ~~20. *What is a trust?* There are many kinds of trusts,~~  
36 ~~including trusts created by Wills (called “testamentary~~  
37 ~~trusts”) and trusts created during your lifetime (called~~  
38 ~~“revocable living trusts”). Both kinds of trusts are~~  
39 ~~long-term arrangements where a manager (called a~~  
40 ~~“trustee”) invests and manages assets for someone~~



1 (called a “beneficiary”) on the terms you specify. Trusts  
2 are too complicated to be used in this statutory Will. You  
3 should see a lawyer if you want to create a trust.

4 21. *What is a domestic partner?* You have a domestic  
5 partner if you have met certain legal requirements and  
6 filed a form entitled “Declaration of Domestic  
7 Partnership” with the Secretary of State. If you have not  
8 filed a Declaration of Domestic Partnership with the  
9 Secretary of State, you do not meet the required  
10 definition and should not use the section of the statutory  
11 Will form that refers to domestic partners. If you are  
12 unsure if you have a domestic partner or if your domestic  
13 partnership meets the required definition, please contact  
14 the Secretary of State’s office.

15  
16 **INSTRUCTIONS**

17  
18 1. *READ THE WILL.* Read the whole Will first. If you  
19 do not understand something, ask a lawyer to explain it  
20 to you.

21 2. *FILL IN THE BLANKS.* Fill in the blanks. Follow the  
22 instructions in the form carefully. Do not add any words  
23 to the Will (except for filling in blanks) or cross out any  
24 words.

25 3. *DATE AND SIGN THE WILL AND HAVE TWO*  
26 *WITNESSES SIGN IT.* Date and sign the Will and have  
27 two witnesses sign it. You and the witnesses should read  
28 and follow the Notice to Witnesses found at the end of this  
29 Will.

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~~NOTE TO PRINTING OFFICE: INSERT  
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~~for California Statutory Will~~

~~as printed on pages 17 to 22 of Chapter 1055, 1991  
Statutes.~~



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1 SEC. 36. Section 6240 of the Probate Code is amended  
2 to read:

3 6240. The following is the California ~~statutory will~~  
4 *Statutory Will* form:

5

6 QUESTIONS AND ANSWERS ABOUT THIS

7 CALIFORNIA STATUTORY WILL

8

9 The following information, in question and answer  
10 form, is not a part of the California Statutory Will. It is  
11 designed to help you understand about Wills and to  
12 decide if this Will meets your needs. This Will is in a  
13 simple form. The complete text of each paragraph of this  
14 Will is printed at the end of the Will.

15

16 1. *What happens if I die without a Will?* If you die  
17 without a Will, what you own (your “assets”) in your  
18 name alone will be divided among your spouse, children,  
19 or other relatives according to state law. The court will  
20 appoint a relative to collect and distribute your assets. A  
21 *domestic partner will not have a right to inherit your*  
22 *property without a Will.*

23 2. *What can a Will do for me?* In a Will you may  
24 designate who will receive your assets at your death. You  
25 may designate someone (called an “executor”) to appear  
26 before the court, collect your assets, pay your debts and  
27 taxes, and distribute your assets as you specify. You may  
28 nominate someone (called a “guardian”) to raise your  
29 children who are under age 18. You may designate  
30 someone (called a “custodian”) to manage assets for your  
31 children until they reach any age between 18 and 25.

32 3. *Does a Will avoid probate?* No. With or without a  
33 Will, assets in your name alone usually go through the  
34 court probate process. The court’s first job is to determine  
35 if your Will is valid.

36 4. *What is community property?* Can I give away my  
37 share in my Will? If you are married and you or your  
38 spouse earned money during your marriage from work  
39 and wages, that money (and the assets bought with it) is  
40 community property. Your Will can only give away your



1 one-half of community property. Your Will cannot give  
2 away your spouse’s one-half of community property.

3 5. *Does my Will give away all of my assets?* Do all  
4 assets go through probate? No. Money in a joint tenancy  
5 bank account automatically—~~belong~~ *belongs* to the other  
6 named owner without probate. If your spouse, *domestic*  
7 *partner*, or child is on the deed to your house as a joint  
8 tenant, the house automatically passes to him or her. Life  
9 insurance and retirement plan benefits may pass directly  
10 to the named beneficiary. A Will does not necessarily  
11 control how these types of “nonprobate” assets pass at  
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13 6. *Are there different kinds of Wills?* Yes. There are  
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15 Wills, and statutory Wills. All are valid if done precisely  
16 as the law requires. You should see a lawyer if you do not  
17 want to use this statutory Will or if you do not understand  
18 this form.

19 7. *Who may use this Will?* This Will is based on  
20 California law. It is designed only for California residents.  
21 You may use this form if you are single, married, *a*  
22 *member of a domestic partnership*, or divorced. You must  
23 be age 18 or older and ~~of~~ *of* sound mind.

24 8. *Are there any reasons why I should NOT use this*  
25 *statutory Will?* Yes. This is a simple Will. It is not designed  
26 to reduce death taxes or other taxes. Talk to a lawyer to  
27 do tax planning, especially if (i) your assets will be worth  
28 more than \$600,000 *or the current amount excluded from*  
29 *estate tax under federal law* at your death, (ii) you own  
30 ~~business-related~~ *business-related* assets, (iii) you want to  
31 create a trust fund for your children’s education or other  
32 purposes, (iv) you own assets in some other state, (v) you  
33 want to disinherit your spouse or descendants, or (vi) you  
34 have valuable interests in pension or—~~profit-sharing~~  
35 *profit-sharing* plans. You should talk to a lawyer who  
36 knows about estate planning if this Will does not meet  
37 your needs. This Will treats most adopted children like  
38 natural children. You should talk to a lawyer if you have  
39 stepchildren or foster children whom you have not  
40 adopted.



1 9. *May I add or cross out any words on this Will?* No.  
2 If you do, the Will may be invalid or the court may ignore  
3 the crossed out or added words. You may only fill in the  
4 blanks. You may amend this Will by a separate document  
5 (called a codicil). Talk to a lawyer if you want to do  
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22 this Will, and revokes the designation of a former spouse  
23 as executor, custodian, or guardian. You should sign a new  
24 Will when you have more children, or if your spouse or a  
25 child dies, *or a domestic partner dies or marries*. You may  
26 want to change your Will if there is a large change in the  
27 value of your assets. *You may also want to change your*  
28 *Will if you enter a domestic partnership or your domestic*  
29 *partnership has been terminated after you sign this Will.*

30 13. *What can I do if I do not understand something in*  
31 *this Will?* If there is anything in this Will you do not  
32 understand, ask a lawyer to explain it to you.

33 14. *What is an executor?* An “executor” is the person  
34 you name to collect your assets, pay your debts and taxes,  
35 and distribute your assets as the court directs. It may be  
36 a person or it may *be* a qualified bank or trust company.

37 15. *Should I require a bond?* You may require that an  
38 executor post a “bond.” A bond is a form of insurance to  
39 replace assets that may be mismanaged or stolen by the



1 executor. The cost of the bond is paid from the estate's  
2 assets.

3 16. *What is a guardian?* Do I need to designate one? If  
4 you have children under age 18, you should designate a  
5 guardian of their “persons” to raise them.

6 17. *What is a custodian?* Do I need to designate one?  
7 A “custodian” is a person you may designate to manage  
8 assets for someone (including a child) who is between  
9 ages 18 and 25 and who receives assets under your Will.  
10 The custodian manages the assets and pays as much as the  
11 custodian determines is proper for health, support,  
12 maintenance, and education. The custodian delivers  
13 what is left to the person when the person reaches the age  
14 you choose (between 18 and 25). No bond is required of  
15 a custodian.

16 18. *Should I ask people if they are willing to serve*  
17 *before I designate them as executor, guardian, or*  
18 *custodian?* Probably yes. Some people and banks and  
19 trust companies may not consent to serve or may not be  
20 qualified to act.

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22 *someone and they die before I do?* A person must survive  
23 you by 120 hours to take a gift under this Will. If they do  
24 not, then the gift fails and goes with the rest of your assets.  
25 If the person who does not survive you is a relative of you  
26 or your spouse, then certain assets may go to the relative's  
27 descendants.

28 20. *What is a trust?* There are many kinds of trusts,  
29 including trusts created by Wills (called “testamentary  
30 trusts”) and trusts created during your lifetime (called  
31 “revocable living trusts”). Both kinds of trusts are  
32 long-term arrangements where a manager (called a  
33 “trustee”) invests and manages assets for someone  
34 (called a “beneficiary”) on the terms you specify. Trusts  
35 are too complicated to be used in this statutory Will. You  
36 should see a lawyer if you want to create a trust.

37 21. *What is a domestic partner? You have a domestic*  
38 *partner if you have met certain legal requirements and*  
39 *filed a form entitled “Declaration of Domestic*  
40 *Partnership” with the Secretary of State. If you have not*



1 *filed a Declaration of Domestic Partnership with the*  
2 *Secretary of State, you do not meet the required*  
3 *definition and should not use the section of the Statutory*  
4 *Will form that refers to domestic partners. If you are*  
5 *unsure if you have a domestic partner or if your domestic*  
6 *partnership meets the required definition, please contact*  
7 *the Secretary of State’s office.*

8

9

INSTRUCTIONS

10

11 1. *READ THE WILL.* Read the whole Will first. If you  
12 do not understand something, ask a lawyer to explain it  
13 to you.

14 2. *FILL IN THE BLANKS.* Fill in the blanks. Follow the  
15 instructions in the form carefully. Do not add any words  
16 to the Will (except for filling in blanks) or cross out any  
17 words.

18 3. *DATE AND SIGN THE WILL AND HAVE TWO*  
19 *WITNESSES SIGN IT.* Date and sign the Will and have  
20 two witnesses sign it. You and the witnesses should read  
21 and follow the Notice to Witnesses found at the end of this  
22 Will.





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NOTE TO PRINTING OFFICE: INSERT  
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for California Statutory Will

as printed on pages 17 to 22 of Chapter 1055, 1991  
Statutes.



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1 SEC. 37. Notwithstanding Section 17610 of the  
 2 Government Code, if the Commission on State Mandates  
 3 determines that this act contains costs mandated by the  
 4 state, reimbursement to local agencies and school  
 5 districts for those costs shall be made pursuant to Part 7  
 6 (commencing with Section 17500) of Division 4 of Title  
 7 2 of the Government Code. If the statewide cost of the  
 8 claim for reimbursement does not exceed one million  
 9 dollars (\$1,000,000), reimbursement shall be made from  
 10 the State Mandates Claims Fund.

11 ~~Notwithstanding Section 17580 of the Government~~  
 12 ~~Code, unless otherwise specified in this act, the provisions~~  
 13 ~~of this act shall become operative on the same date that~~  
 14 ~~the act takes effect pursuant to the California~~  
 15 ~~Constitution.~~

16 \_\_\_\_\_

17 CORRECTIONS

18 Text — Pages 49, 50 and 51.

19 \_\_\_\_\_

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