

MEMORANDUM

From: Hon. Roger L. Lund
Re: Update from J6
Date: April 14, 2020

"I am pleased to announce the formation of a new panel of the Ventura Superior Court Probate Department called "Private Counsel Panel for Conservatees." You may not know, it but our local deputy public defenders represent nearly all of our conservatees in over 1000 conservatorship cases in our county. That is a lot of people to represent.

The Office of the Public Defender is charged with representing indigent clients, and has determined it should not be representing conservatees who have the means to pay for private counsel. I have worked with the public defender's office to determine certain criteria to define indigency in a conservatorship case. Over the last 6 months, I have examined every conservatorship case and have found approximately 50 cases in which the conservatee does not meet the requirements of indigency and therefore does not qualify for appointment of a public defender. As such, we are seeking to create a panel of private counsel from which the court can appoint to represent conservatees in these existing cases. The panel also will be available for future cases as they arise. Please note this is not a request for volunteers. Appointed counsel will be paid from the conservatorship estate.

The California Probate Code and California Rules of Court referenced at the bottom of California Judicial Council Form GC-010 outline the education and experience requirements to represent conservatees. They were recently updated to require more education, and I understand there are only two counties that provide such education, the closest of which is Los Angeles.

In order to help interested counsel qualify for this panel, I, along with Deputy Public Defenders William Lenehan and Daniel Taylor, will be preparing a 3-hour continuing education course which not only satisfies these statutory requirements, but also provides insight into successful local practice here in Ventura County. We expect to present this course in two 1.5 hour sessions, likely during the lunch hour. With enough interest, we may try to put this together virtually during the time the courts are closed. If you are interested in a court appointment for a conservatorship case, please click on the link below (or copy and paste it to your favorite browser) and enter your information. In the comment section, please indicate your preference for participating in the course during or after the court closure. Our intent is to provide MCLE credit for participating, sponsored by the Probate Section of VCBA. I look forward to hearing from you. Here is the link: <https://www.signupgenius.com/go/10C054FA5AC23A4FC1-private>

Thank you for considering this potential appointment.

Judge Roger L. Lund, Dept. J6
Presiding Probate Judge

Superior Court of California, County of Ventura