

California Guardianship Law 2018

San Francisco, Live Webcast and www.pli.edu,* February 27, 2018

Why You Should Attend

Learn the basics of California guardianship law and procedure so that you can competently represent a child or adult petitioner in establishing a guardianship of the person. This program will teach you how to represent parties in both uncontested and contested guardianship proceedings.

What You Will Learn

- Guardianship of the Person Law and Procedure
- Alternatives to Guardianship
- Judicial Council Forms Used for Guardianship of the Person
- Guardianship Procedure
- Guardianship Investigations
- Contested Matters and Trials
- Cases Involving Special Immigrant Juvenile Status and ICWA
- Post Guardianship Issues – Moving Out of State, Terminating Guardianship, Resignation, and Modifying Visitation

Who Should Attend

This program is appropriate for newly admitted and experienced attorneys who wish to represent a child or adult petitioner in establishing a guardianship of the person. This training will not cover guardianship of the estate.

AGENDA

9:00

Opening Remarks

Stephanie E. Bilinski

9:15

Overview of Guardianship of the Person in California

- What is a Guardianship of the Person?
- Is a Guardianship Necessary?
- Alternatives to Guardianship
 - Caregiver Affidavit
 - Power of Attorney
- Rights and Duties of Guardians
- Relationship Between Probate Guardianship and Other Court Proceedings
 - Family Court
 - Dependency Court
 - Adoption
- Jurisdiction and Venue – Where to File
- Public Benefits for Guardians

Stephanie E. Bilinski, Jayne Chong-Soon Lee, Alexis Moody

10:15

Guardianship Process in California

- Uncontested General Guardianship: Legal Standard
- Temporary Guardianship: Legal Standard
- Notice Requirements
- State-Wide Judicial Council Forms
- Request to Waive Fees
- Guardianship Investigation
- Appointment of Attorney for the Child
- Court Hearing
 - Preparing for the Hearing
 - Hearing Procedures
 - Issuance of Orders and Letters of Guardianship

Stephanie E. Bilinski, Jayne Chong-Soon Lee, Alexis Moody

11:15 Networking Break

11:30

Post-Guardianship Proceedings and Special Issues in California

- Contested Cases: Legal Standard
 - Mediation and Trial

- Post-Guardianship Proceedings
 - Termination/Resignation/Removal of Guardian
 - Petitions for Visitation
 - Fixing Residence Outside of California
- Vexatious Litigants- PC 1610 and 1611
- Special Immigrant Juvenile Status
- ICWA
- Joint Guardianship (terminally ill parents)
- Questions and Answers

Stephanie E. Bilinski, Jayne Chong-Soon Lee, Alexis Moody

12:30 Adjourn

Faculty:

Chair:

Stephanie E. Bilinski

Family Law Supervising Attorney

Justice & Diversity Center of The Bar Association of San Francisco
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Jayne Chong-Soon Lee

Supervising Probate Attorney and Judge Pro Tem

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