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SAN BERNARDINO**
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May 13, 2014

The Honorable Brain Maienschein
California State Assembly
State Capitol, Room 3098
Sacramento, CA 95814

RE: AB 1725 (Maienschein) – As amended April 30, 2014 – OPPOSE

Dear Assemblyman Maienschein:

The County of San Bernardino respectfully opposes AB 1725, legislation regarding conservatorship hearings for the gravely disabled. This bill would allow a Probate Court to make a conservatorship recommendation to a county conservatorship officer (CO), known as the Public Guardian in the County of San Bernardino, and would require the CO to conduct the conservatorship investigation and file a report within 30 days of the court's recommendation.

Under existing law, and based on the recommendation of a medical or psychological professional, only a CO can conduct an investigation and determine whether a person meets the statutory definition of gravely disabled. If it is determined that a person is gravely disabled, it is the responsibility of the CO to petition the court for conservatorship. Once the petition is received, the court must find beyond a reasonable doubt that a person cannot take care of his or her basic needs for food, clothing, and shelter. Should conservatorship be granted, it is only in effect for one year.

If passed, AB 1725 would erode the CO's authority to determine whether an investigation is warranted, impose additional timelines on the investigation process, significantly increase County costs, and dramatically increase caseloads.

For the reasons stated above, we respectfully oppose AB 1725. Please contact Josh Candelaria, Director of Governmental and Legislative Affairs, at (909) 387-4821 or jcandelaria@sbccounty.gov if you have any questions.

Sincerely,

JANICE RUTHERFORD
Board of Supervisors Chair
Second District Supervisor
County of San Bernardino

c: Assembly Appropriations, Members and Consultants
County of San Bernardino Legislative Delegation