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May 23, 2014

Hon. Kamala Harris
Attorney General of California
P.O. Box 944255
Sacramento, CA 94244-2550

Re: Request for Oversight and Intervention

Dear Attorney General:

I am writing to request that you exercise the authority and perform the duty specified by Article V, Section 13 of the California Constitution. That provision declares: "It shall be the duty of the Attorney General to see that the laws of the State are uniformly and adequately enforced."

As you will see from information contained in the enclosed report, constitutional obligations and statutory mandates pertaining to limited conservatorships are not being uniformly and adequately enforced in Los Angeles County. These deficiencies are adversely affecting the rights of people with developmental disabilities, as individuals and as a class of vulnerable adults without effective advocacy.

Unfortunately, when the Legislature established a legal system and procedures for the establishment and maintenance of limited conservatorships some 30 years ago, it did not designate an agency of the Executive Branch of government to monitor this system. As a result, the system is operated wholly within the Judicial Branch. The systemic and operational deficiencies identified in our report, *Justice Denied*, indicate that the judiciary is not monitoring itself and that quality assurance procedures either do not exist or are not effective.

Our Project has done its own "mini-audit" of this system as it is operated by the Los Angeles Superior Court. Our preliminary findings caused us to convene a conference on May 9, 2014, and another is scheduled for June 20. A copy of our preliminary report, *Justice Denied*, was sent to all members of the Judicial Council. We are also reaching out to the chairs of the judiciary committees of each house of the Legislature.

We do not know how limited conservatorships are processed in other counties, but if what is happening in the largest Superior Court in the state is any indication, there is a major statewide deprivation of justice that is happening to a very vulnerable population – one that is unable to adequately advocate for itself. If Los Angeles County is unique, then thousands of people with disabilities in that jurisdiction are being deprived of equal protection of the law (in addition to violations of other constitutional and civil rights).

Our Project is calling on you, as chief law enforcement officer of the State of California, to investigate this matter and to take appropriate steps to ensure that the Judicial Branch corrects these deficiencies, remedies past injustices, and moves forward in a manner that uniformly and adequately enforces all constitutional and statutory provisions relating to the establishment and maintenance of limited conservatorships.

Our Project is eager to meet with your staff to discuss the important matters addressed in *Justice Denied*.

Very truly yours,

A handwritten signature in blue ink that reads "Thomas F. Coleman".

THOMAS F. COLEMAN
Legal Director
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