

Tom Coleman - Spectrum Institute

From: Tom Coleman - Spectrum Institute <tomcoleman@spectruminstitute.org>
Sent: Thursday, March 29, 2018 6:50 AM
To: 'nora.lynn@sen.ca.gov'
Cc: 'Linda Kincaid, CEDAR-CA'
Subject: the need for conservatorship reforms in California
Attachments: judiciary-report.pdf

Ms. Nora Lynn
Policy Analyst
California State Senate

Dear Ms. Lynn,

I was advised by Linda Kincaid that you are interested in receiving information about the conservatorship system in California. She said you are a policy analyst for Senator Hannah-Beth Jackson.

Our organization has thoroughly researched part of that system – the limited conservatorship component – for several years. It is dysfunctional, denies due process, and violates the Americans with Disabilities Act. There are more than 43,000 adults with developmental disabilities under an order of conservatorship – some in limited conservatorships and some in general conservatorships. About 5,000 new cases are initiated each year against adults with developmental disabilities.

We have reached out to many state officials to ask for help in reforming the system and correcting these injustices: California Attorney General, Chief Justice, Supreme Court, State Bar, Department of Fair Employment and Housing, Department of Developmental Disabilities, Judicial Council, Senate Judiciary Committee, Assembly Judiciary Committee, etc. To date, no meaningful reform action has been taken by any state official or agency. The violations of rights are based on flawed policies as well as illegal practices of judges, court-appointed attorneys, court investigators, guardians ad litem, and conservators.

A few years ago, we presented a report to the Senate Judiciary Committee about these problems but never received any response. It appeared to us the committee had its own agenda as it conducted an “oversight” hearing – a hearing which virtually ignored the limited conservatorship system. A copy of that report is attached.

For the past four years, I have written dozens of reports, commentaries, letters, and complaints about deficiencies in the conservatorship system in California and elsewhere. Here

is a link to a list of documents in our Digital Law Library on Disability and Guardianship.

<http://spectruminstitute.org/library/>

I call your attention to a documentary film we released this month about the situation. *Pursuit of Justice* is a 36-minute film. I recommend that you watch the it and I encourage Senator Jackson to do the same. <http://pursuitofjusticefilm.com/> Perhaps Senator Jackson would schedule a showing of the film to the members and staff of the Judiciary Committee, along with a question and answer session afterwards. I would be please to participate in such an event.

In any event, I am willing to have a conversation with you about the need for reform – and the types of reforms that would improve the situation – if you care to call me.

Tom Coleman
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