

The Estate Planning, Probate and Trust Litigation Subsection presents

Conservatorship Intensive



8:00 – 8:20 a.m. | MCLE: 0.25 Hour of Estate Probate and Trust Specialization Credit
Overview of Conservatorships

Presenter

Amy Harrington, Harrington Law

Topic

- Overview of the types of Conservatorship

8:20 – 9:10 a.m. | MCLE: 0.75 Hour of Estate Probate and Trust Specialization Credit
Protecting the Vulnerable Individual
Offramps to Conservatorship

Presenters

Honorable Sandra K. Bean, Alameda County Superior Court
Honorable Mary Thornton House (Ret.), Alternative Resolution Centers
Charles Bruce, San Francisco City Attorney Office, Dependency and Mental Health Team

Topics

- General policies and legislative intent regarding civil liberties
- The special case of mental illness
- Review GC-312, Item 6: “off-ramps” and obstacles to establishing conservatorship
 - Standard of capacity for each alternative.
 - Estate Plan defeats Conservatorship as least restrictive means
 - When conservatorship may still be needed despite no POA or incomplete estate planning
- Care Court – diagnosed with Schizophrenia, Psychotic Disorders, or Bipolar-1
- Variation among counties

9:10 – 10:00 a.m. | MCLE: 0.75 Hour of Estate Probate and Trust Specialization Credit
Protecting the Vulnerable Individual
Probate Conservatorships

Presenters

Honorable Marshall Whitley (Ret.), ADR Services
Honorable Drew C. Takaichi (Ret.), Signature Resolution

Topics

- Variations across counties
- Types of conservatorships and when each is appropriate
- Who can petition or should be appointed
- Factors in establishing conservatorships
- Typical litigation within conservatorship proceedings

10:00 – 10:15 a.m. | Break

10:15 – 11:05 a.m. | MCLE: 0.75 Hour of Estate Probate and Trust Specialization Credit
Protecting the Vulnerable Individual
Post Herren and Post Britney: Role of Attorney Representing Person with Partial Capacity

Presenters

Frank Busch, Coblenz, Patch, Duffy & Bass
Jeff Loew, Loew Law Group
Judge Ana Maria Luna (Ret.), Signature Resolution

Topics

- Premeeting due diligence
- Meeting with client
- Attorney Client communication
- Content of legal services agreement
- Compensation and Heightened Awareness in Working with Vulnerable Populations
- Conduct of Representation
 - Representing Conservatees (ideally with court order)
 - Court Appointed Counsel
 - Representing Conservators / Agents
 - Problems representing Family members and Fiduciaries (potential seekers)

Section Chairs

Alicia Gámez, Law Office of Alicia M. Gámez and Frank Busch, Coblenz, Patch, Duffy & Bass

www.sfb.org/calendar

Friday November 6, 2026

MCLE Registration 7:30 – 8:30 a.m.

In-Person Program 8:00 a.m. – 5:00 p.m.

Continental Breakfast and Lunch Provided | Reception to Follow

MCLE 7.5 Hours of Estate Probate and
Trust Specialization Credit

To receive MCLE credit, you must sign in during the designated MCLE registration period. This activity is approved for Minimum Continuing Legal Education credit by the State Bar of California. BASF is a certified provider. Provider #103

Location

BASF Offices

50 Fremont Street, Suite 1700

San Francisco, CA

Cost

FREE for Section Member

\$150 for BASF Member

\$450 for All Others

All prices increase \$10 on the day of the program.

Pre-registration is required; on-site registration is not available.

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11:05 - 11:50 a.m. | MCLE: 0.75 Hour of Estate Probate and Trust Specialization Credit
Holy Cow – My Conservatee Has Money (and Public Benefits)!

Presenters

Kevin Urbatsch, The Urbatsch Law Firm
Daniel Cutter, Merrill Lynch, Pierce, Fenner & Smith
Honorable Mary Thornton House (Ret.), Alternative Resolution Centers

Topics

- Substituted Judgment
- Sale of Assets
- Special Needs Trust
- Qualified Settlement Fund (QSF) orders
- What conservators are allowed to invest in and local rules
- Seek delegation language so fiduciary can delegate investment management to professional

11:50 a.m. – 12:00 p.m. | Break

12:00 - 1:00 p.m. | MCLE: 1 Hour of Estate Probate and Trust Specialization Credit
Keynote – Judges' Views: Dos, Don'ts, and Best Practices

Hear from sitting Probate Judges

Honorable Virginia M. George, Contra Cost Superior Court
Honorable Russel Roeca, San Francisco Superior Court
Honorable Peter F. Murray, San Diego Superior Court

Moderator

Honorable Sandra K. Bean, Superior Court of Alameda County

1:10 - 2:00 p.m. | MCLE: 0.75 Hour of Estate Probate and Trust Specialization Credit

Initiating the Conservatorship

Nuts & Bolts of Pleadings and Hearings

Presenters

Melanie Emmons, Kato, Feder & Suzuki
Avid Alavi, Alavi Probate Law
Amy Harrington, Harrington Law

Topics

- Intake and initial considerations
- Drafting pleadings considerations
- Capacity declarations
- Limited powers, other powers, and 2590 powers
- Confidential supplemental information
- Court investigator and court-appointed attorney
- Standard of proof and burden of proof
- Trial/evidentiary hearing
- Accounting: costs, allowances, and dependents
- Procedural processes, deadlines, forms, notice, and service
- Court investigations

2:00 - 2:50 p.m. | MCLE: 0.75 Hour of Estate Probate and Trust Specialization Credit

Keeping it on Track: Administering the Conservatorship

Presenters

Honorable Drew C. Takaichi (Ret.), Signature Resolution
Honorable Ana Maria Luna (Ret.), Signature Resolution
Honorable Susan L. Greenberg (Ret.), Signature Resolution

Topics

- Sales of real property and asset management
- Accountings and attorney fee petitions
- How to object and terminate

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2:50 – 3:05 p.m. | Break

3:05 – 3:55 p.m. | MCLE: 0.75 Hour of Estate Probate and Trust Specialization Credit
Trial, Part 1: Trial Performance - Evidence & MILs

Presenter

Honorable Mary Thornton House (Ret.), Alternative Resolution Centers

Topics

- Trial Performance - Evidence and trial evidentiary hearings
- Evidence focused on probate
- Presumptions, burden shifting in undue influence cases, and financial elder abuse burdens
- Will/trust challenges, reformation, and standards of proof/burdens: clear and convincing

4:00 – 5:00 p.m. | MCLE: 1 Hour of Estate Probate and Trust Specialization Credit
Trial, Part 2: Trial Performance - continued

Presenter

Honorable Mary Thornton House (Ret.), Alternative Resolution Centers

Topics

- Performance
- Evidence and trial evidentiary hearings

Reception to follow.

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