



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS
EXECUTIVE OFFICE PROGRAMS DIVISION

455 Golden Gate Avenue • San Francisco, California 94102-3688
Telephone 415-865-7530 • Fax 415-865-4330 • TDD 415-865-4272

RONALD M. GEORGE
Chief Justice of California
Chair of the Judicial Council

WILLIAM C. VICKREY
Administrative Director of the Courts

RONALD G. OVERHOLT
Chief Deputy Director

KENNETH L. KANN
Director, Executive Office Programs Division

February 14, 2008

Ms. Diane F. Boyer-Vine
Legislative Counsel
State of California
State Capitol, Room 3021
Sacramento, California 95814

Mr. Gregory P. Schmidt
Secretary of the Senate
State Capitol, Room 400
Sacramento, California 95814

Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California 95814

Re: Probate Code Section 1458: Report on Study Measuring Court Effectiveness in
Conservatorship Cases

Dear Ms. Boyer-Vine, Mr. Schmidt, and Mr. Wilson:

Enclosed please find the Judicial Council report required by Probate Code section 1458 on a
study measuring court effectiveness in conservatorship case processing.

- As of June 30, 2006, 45,181 conservatorship cases were under the control of the courts.
- Case file review conducted in the first phase of the study allowed for the evaluation of more detailed measures of case processing activity. Data from a sample of more than 300 cases reviewed in a three-court sample showed the following:
 - Eighty-three percent of the sample of conservatorships of the estate or of the person and the estate were bonded.
 - During the study period, 41.4 percent of the sample of conservatorship cases completed all required reviews within 120 days of the due date, and 22.5 percent of the sample cases were missing investigation reviews.
 - During the period studied, 76.2 percent of the sample of conservatorships of the estate or of the person and the estate completed accounting reviews within 120 days of the due date, and 13 percent were missing accountings.
- The median total workload per year for each new filing of a conservatorship is currently 1,077 minutes, or 17.6 hours. Most of the time required for establishment of a new conservatorship case is spent conducting the initial investigation (530 minutes).
- The total workload per year for each conservatorship under the jurisdiction of the court is currently 723 minutes, or 12.1 hours. Most of the time that courts invest in oversight of each case under the court's jurisdiction is spent conducting reviews (296 minutes), followed by working up files for rulings on subsequent petitions and motions (102 minutes).
- The statewide staff need for processing the conservatorship caseload *before the enactment of the Omnibus Act* was 357 FTEs or approximately 11 percent more staff than courts reported having.
- Strictly quantitative evaluations will not capture all components of case processing and could distort the true picture of court operations. These measures should be used as diagnostic tools to assist courts in managing their caseloads and identifying potential problems early in the life of a case.
- Reviews and accountings that occur after the expiration of statutory time frames and can be seen in a quantitative review of the data may actually reflect active and rigorous oversight by the court rather than deficient oversight. In high-performing courts, failure to meet statutory time frames is often the result of the court's close oversight of conservatorship cases and a constructive working relationship between the court and conservators.