

CALIFORNIA LAW REVISION COMMISSION

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**Uniform Adult Guardianship and Protective Proceedings
Jurisdiction Act**

Request for Public Comment

The California Law Revision Commission seeks public comment on its tentative recommendation relating to the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act ("UAGPPJA").

UAGPPJA was approved by the Uniform Law Commission in 2007 for enactment in all 50 states. It relates to what is known in California as a "conservatorship," a proceeding in which a court appoints someone to assist an adult with personal care or financial transactions because that adult lacks the ability to handle those matters without assistance.

Such court proceedings are becoming common across the United States, because the population is aging. At the same time, the population is mobile. People often move from one state to another, own property or conduct transactions in more than one state, and spend time in several locations.

Due to those trends, certain problems relating to conservatorships are occurring. In particular, there are (1) jurisdictional disputes, (2) issues relating to transferring a conservatorship from one state to another, and (3) requests for recognition of a conservatorship that was established in another state.

UAGPPJA addresses those problems. It provides a set of rules for resolving jurisdictional disputes, a streamlined process for transfer of a conservatorship, and a registration procedure to facilitate recognition of a conservatorship that was established in another state. The goal of the act is to alleviate the burdens of handling a conservatorship situation that involves more than one state.

The Law Revision Commission has been studying UAGPPJA to determine whether and, if so, in what form, the act should be enacted in California. Based on the work it has done thus far, the Commission tentatively recommends that UAGPPJA be enacted in California, with a number of modifications to protect California policies and ensure that the act works smoothly in this state.

The tentative recommendation is available from the California Law Revision Commission, 4000 Middlefield Road, Room D-2, Palo Alto, CA 94303-4739. The tentative recommendation is also available on the Commission's website at <http://www.clrc.ca.gov/L750.html>.

The Commission often substantially revises its recommendations as a result of public comment. To receive timely consideration, comments should be submitted by **September 15, 2013**.
