

In my previous articles, I discussed the [process for establishing a conservatorship](#) and [what information the court needs](#). Now we turn our attention to what exact decision making power a conservator has in regards to the adult disabled conservatee's care.

A person can be appointed a limited conservator of the person and/or a limited conservator of the estate. A limited conservatorship applies specifically to an individual that is developmentally disabled. It is called a *limited* conservatorship because the conservator's decision-making powers are limited to those the court deems necessary for welfare of the disabled individual.

The Probate Code states that a limited conservator of the person has the "care, custody and control of the limited conservatee" and may be granted any or all of the following powers:

1. To fix the residence of the limited conservatee;
2. To have access to the confidential records and papers of the limited conservatee;
3. To consent or withhold consent to the marriage of, or the entrance into a registered domestic partnership by, the limited conservatee;
4. To contract on behalf of and to set aside contracts of the limited conservatee;
5. To consent to medical treatment on behalf of the limited conservatee;
6. To control the social and sexual contacts and relationships of the limited conservatee;
7. To control the education of the limited conservatee.

The [Petition to Appoint Conservator](#) must state which specific powers from the list above the proposed conservator is requesting.

A conservator of the estate is responsible for managing the disabled individual's assets. Generally a conservatorship of the estate is only necessary when there are assets aside from wages, public benefits or assets held in a trust. A conservatee maintains the right to control his or her own wages. Public benefits can be managed through the [Representative Payee program](#). Trust assets are managed by a trustee and therefore are not under the control of the conservatee. A conservator of the estate would manage assets such as an inheritance or settlement that was not placed into a special needs trust.

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