**Confidential Regional Center Report**

December 22, 2015

Superior Court of California

Room 429 Probate Office

111 N. Hill St.

Los Angeles, CA 90012

**RE: CONSERVATORSHIP OF Ana Beatriz Garzon**

**Date of Hearing: January 21, 2016 Case Number: BP166778**

Your Honor:

This report is submitted pursuant to California Probate Code Section 1827.5 and is in reference to the petition filed by petitioners Luz M. Lopez, Carlos F. Garzon, and Daniel J. Garzon praying for the appointment as limited conservators of the person, Ana Beatriz Garzon.

This report is based on information obtained from Ms. Garzon’s current Regional Center Service Coordinator, a review of her Regional Center case record, consultations with the prior Service Coordinator, and a meeting with Ms. Lopez and her husband on 1/7/15. Ms. Lopez, Mr. Carlos Garzon and Mr. Daniel Garzon are seeking conservatorship at this time due to their sister experiencing serious physical and psychiatric problems recently. Although Ms. Garzon is known to the Regional Center, Mr. Carlos and Mr. Daniel Garzon are unknown to the Regional Center and the Regional Center is not able to offer a recommendation on their behalf. The Regional Center is, however, able to offer a recommendation concerning Ms. Lopez.

Ms. Ana Beatriz (Betty) Garzon is a fifty-seven year old client of the Frank D. Lanterman Regional Center based on her diagnosis of Severe Intellectual Disability. She currently lives with her sister and her sister’s husband at their home. The proposed conservators are her siblings; her sister and brothers. Ms. Garzon is ambulatory, but walks with an unsteady gait. She is not able to independently complete any of her self-care needs such as toileting, bathing, dressing or grooming and needs assistance for all tasks. She cannot independently prepare meals and requires that someone do this for her. She is able to independently feed herself but would need guidance in adhering to a healthy diet appropriate to her medical needs (such as hypertension). She is lacking in safety awareness and would not be able to respond or to understand an emergency situation. She requires someone close to her all the times to prevent injury or harm.

Ms. Ana Beatriz Garzon is diagnosed with intellectual disability, unspecified Psychotic Disorder, and Depressive Disorder. She is currently taking medications in order to manage her psychiatric symptoms as well as for hypertension. She maintains regular medical, dental, and appointments. Her psychiatric care is provided by a physician well known to the Lanterman Regional Center.

Due to some negative experiences at previous residential facilities and a recent severe decline in her physical and mental health, Ms. Garzon is living with her sister at her sister’s home. The Regional Center is providing 1:1 24 hour support to enable her to continue living there and will provide other supports, such as behavioral consultation and day programs, as deemed appropriate. The current expectation is that an appropriate residential placement will be found in the near future.

The Limited Conservatorship law recognizes the important principle that persons with developmental disabilities should not, on the basis of their disability alone, be deemed unable to exercise certain rights.  In this case, the proposed conservator has requested all seven powers pursuant to Probate Code Section 2351.5 and The Regional Center is able to recommend granting all seven powers.

1. The power to fix residence of the conservatee. The proposed conservators would like for Ms. Garzon to remain under the care of family members for the near future, at least until her medical/psychiatric situation stabilizes. Once she is more stable, she will have an option for residential placement. Should there come a time when Ms. Garzon would need to move into a residential setting, she would need someone to make this decision for her. She has limited ability to make good judgment and would be unable to determine what would be an appropriate living situation. The proposed conservators would like to make sure that Ms. Garzon always resides in a home that will best suit her needs. The Regional Center recommends that the proposed conservators have the power to fix the residence of the conservatee.
2. The Power to consent or to withhold consent to medical treatment and to make decisions concerning the medical treatment of the conservatee. Ms. Garzon does not fully understand medical issues and lacks the ability to give consent. She currently suffers from psychiatric conditions as well as hypertension and is taking medications to stabilize those conditions. To regulate her medication, she is seen by her primary care physician and a psychiatrist on a regular basis. She requires someone to make sure that her medical issues are addressed, that her medication is taken regularly, and that she follows through with doctor’s orders. She is unable to effectively interact with medical staff and requires that someone do this on her behalf.
3. The power to contract. Due to Ms. Garzon’s limited cognitive functioning ability, she requires that someone assist with contracts for her, such as when dealing with SSI, the Regional Center, financial institutions, or medical insurance. Ms. Garzon is unable to knowingly enter into a contract or understand any of the obligations that it contains. Organizations that Ms. Garzon may work with may not recognize the input from her family unless they have been legally empowered.
4. The power to access confidential records and papers of the conservatee. This power is necessary for the proposed conservators so that they are able to make sound medical decisions for Ms. Garzon, assist with her SSI, and to assist with banking.
5. The power to make decisions concerning the education/work programs of the conservatee. When she is more medically and psychiatrically stable, Ms. Garzon’s family would like for her to attend a structured program during the day where she can be involved with her peers. Ms. Garzon would not be able to determine the appropriateness of a program and would need someone to act on her behalf and could take into consideration her health and safety needs.
6. Ms. Garzon’s family is her primary source of social interaction. Though Ms. Garzon has not developed relationships beyond these, the Regional Center sees the right of association with others, and the choice of friends, as fundamental to the rights and dignity of a person. The Regional Center typically only supports the conservator being granted the first five powers because the possession of those powers, as granted, will provide a level of control in Ms. Garzon’s life which acts as a significant disincentive to anyone who might seek to exploit her. However, in Ms. Garzon’s case, the Regional Center recommends granting the power to make decisions concerning social and sexual relationships and contacts.
7. As noted, the Regional Center usually only supports the conservator being granted the first of the five powers, as stated on this letter. These powers, granted as recommended, provide a level of control which acts as a significant disincentive to anyone who might seek to exploit Ms. Garzon through marriage for control of tangible assets. However, in Ms. Garzon’s case, the Regional Center recommends granting the power to consent or withhold consent to marry.

In Ms. Garzon’s case, because of her deficits in cognitive and adaptive abilities, granting a limited conservatorship of the person to Ms. Lopez, the proposed conservatee’s sister, with all seven powers is recommended. The proposed limited conservator has shown a strong commitment to her welfare and the Regional Center believes her appointment would be in the proposed conservatee’s best interest. As stated previously, given that the Regional Center is unfamiliar with Mr. Carlos Garzon and Mr. Daniel Garzon, the Regional Center is not able to render a recommendation concerning them.

Respectfully submitted,

Melinda Sullivan

Associate Director of Children and Family Services

Frank D. Lanterman Regional Center

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