What does a conservatorship attorney do, and how do you hire one?

Key facts

- Georgia requires the proposed ward to have counsel, retained or court-appointed, before a guardianship case proceeds (O.C.G.A. Section 29-4-11; Athens-Clarke County Probate Court, checked 2026-09-21).
- Arizona's guardianship statute requires the court to appoint an attorney for the alleged incapacitated person unless independent counsel already represents them (Arizona Revised Statutes Section 14-5303, checked 2026-09-21).
- Pennsylvania requires the court to appoint counsel for the alleged incapacitated person regardless of their ability to pay, with the county covering the cost if they cannot afford it (20 Pennsylvania Consolidated Statutes Section 5511, checked 2026-09-21).
- Ohio's probate court can appoint an attorney to represent an alleged incompetent person, and an indigent person can ask for counsel at court expense (Ohio Revised Code Section 2111.031, checked 2026-09-21).
- North Carolina appoints a guardian ad litem attorney for the respondent automatically once a petition is filed, unless the respondent has already retained counsel (North Carolina General Statutes Section 35A-1107, checked 2026-09-21).
- The National Elder Law Foundation certifies Certified Elder Law Attorneys only after 5 years in practice, heavy recent elder law caseloads, 36 hours of related continuing education, and a passed full-day exam (National Elder Law Foundation, checked 2026-09-21).
- The Eldercare Locator, run by the Administration for Community Living, connects people 60 and older to free or low-cost legal help by phone at 1-800-677-1116 (Administration for Community Living, checked 2026-09-21).
- A New York City elder law firm's 2026 fee guide puts attorney fees for an uncontested guardianship proceeding at $7,000 to $10,000, rising to $10,000 to $30,000 if contested, with hourly billing commonly $400 to $900 or more in that market (Morgan Legal Group, checked 2026-09-28).

Checklist: hiring a conservatorship attorney step by step

1. Decide which role you need: an attorney for the family member filing the petition, or an attorney for the proposed conservatee. In a contested case these cannot be the same person. See how do you get a conservatorship for the full petition-filing process this attorney will guide you through.
2. Check whether the proposed conservatee already qualifies for a court-appointed attorney under your state's rule, before paying privately.
3. If income-qualified, contact a Legal Services Corporation-funded legal aid group through its "I Need Legal Help" tool by address or ZIP code (Legal Services Corporation, checked 2026-09-21).
4. Call the Eldercare Locator at 1-800-677-1116 or visit eldercare.acl.gov for help finding local legal services for people 60 and older (Administration for Community Living, checked 2026-09-21).

5. Search the National Academy of Elder Law Attorneys directory by ZIP code, and ask whether a candidate holds the CELA credential for a complex or contested case (National Academy of Elder Law Attorneys, checked 2026-09-21).
6. Ask your state bar's certified lawyer referral service for a screened elder law attorney (Consumer Financial Protection Bureau, checked 2026-09-21).
7. Confirm the attorney has handled cases in the specific court and county where the petition will be filed.
8. Get the fee agreement in writing before signing anything, including how ongoing accounting work is billed.

Questions to ask before you hire

Bring these questions to an initial consultation, whether you are the family member filing the petition or looking for counsel for the proposed conservatee:

- How many conservatorship or guardianship cases have you handled in this specific court and county in the past two years?
- Flat fee, hourly rate, or a retainer against which hours are billed, and what happens to the fee if the case becomes contested?
- Will you personally handle the ongoing accounting and reporting after the hearing, or is that billed separately?
- Do you hold a Certified Elder Law Attorney credential, and if not, how much of your practice is elder law?
- If you represent the proposed conservatee, how will you determine and represent their wishes rather than the family's?
- Your estimate for total cost if the case stays uncontested, and if it becomes contested?
