How do you get a conservatorship?

Key facts

- To get a conservatorship, an interested person, often a family member, files a petition with the probate or trial court in the county where the adult lives, describing why they can no longer safely manage money, personal care, or both (Utah Courts Self-Help, checked 2026-09-25).
- Courts are required to order the least restrictive arrangement that still protects the person, not a full conservatorship by default (Uniform Law Commission, Guardianship, Conservatorship, and Other Protective Arrangements Act, checked 2026-09-22).
- California's court self-help guide says starting a limited conservatorship case takes at least 9 forms, and fees "start at $435," plus a separate investigation fee (California Courts Self-Help Guide, checked 2026-09-25).
- Texas requires the person filing to hire an attorney, since you may represent yourself in court but not another person, and a doctor must certify the proposed ward is incapacitated before the case can proceed (Texas Law Help, checked 2026-09-22).
- Florida must appoint a three-member examining committee, including one psychiatrist or physician, within 5 days of a petition to determine incapacity, and the standard of proof at the hearing is clear and convincing evidence (Florida Statutes Section 744.331, checked 2026-09-25).
- Once a court grants a conservatorship, it issues letters of conservatorship (or guardianship), the document banks, the IRS and other agencies ask to see as proof of authority (Consumer Financial Protection Bureau, checked 2026-09-22).
- A conservator of an estate is commonly required to buy a surety bond, which reimburses the protected person if the conservator mismanages the money, and to file a regular accounting with the court (Consumer Financial Protection Bureau, checked 2026-09-22).

Checklist: getting a conservatorship, step by step

- [ ] Confirmed no less restrictive option, such as a power of attorney or representative payee, will work
- [ ] Decided whether a conservatorship of the estate, of the person, or both is needed
- [ ] Identified the correct probate or trial court for the county where the adult lives
- [ ] Obtained or scheduled the required medical certificate or capacity evaluation
- [ ] Completed and filed the petition and any state-required supplemental forms
- [ ] Paid the filing fee, or filed for a fee waiver
- [ ] Served notice on the proposed conservatee and required relatives within the state's deadline
- [ ] Cooperated with the court investigator, visitor or examining committee
- [ ] Attended the hearing and received the court's order
- [ ] Posted any required bond and took the oath of office
- [ ] Received certified letters of conservatorship or guardianship
- [ ] Opened any required accounts and calendared the first inventory and accounting deadline