What is an LPS conservatorship, and how does it work?

Key facts

- An LPS conservatorship is created under California's Lanterman-Petris-Short Act for an adult a court finds "gravely disabled" by a mental health or severe substance use disorder, or both (California Welfare and Institutions Code Section 5350, checked 2026-09-22).
- Only the county Public Guardian can petition to start one; a spouse cannot file it the way they can a probate conservatorship (Los Angeles County Department of Mental Health, checked 2026-09-22).
- A temporary conservatorship, held by the Public Guardian, lasts up to 30 days while the county investigates and looks for less restrictive alternatives (Superior Court of California, County of Orange, checked 2026-09-22).
- A full conservatorship lasts one year and must be renewed through a new petition if the person is still gravely disabled (Sacramento County Public Law Library, checked 2026-09-22).
- Since January 1, 2026, every county must use the expanded "gravely disabled" definition, adding personal safety and necessary medical care to the older food, clothing and shelter standard (California Welfare and Institutions Code Section 5008, checked 2026-09-25).
- A proposed conservatee can demand a jury trial on grave disability, and the trial must generally start within 10 days of that demand (California Welfare and Institutions Code Section 5350, checked 2026-09-25).
- A conservatee can lose specific rights, such as voting, a driver's license, or refusing treatment tied to the grave disability, depending on the court's order (Disability Rights California, checked 2026-09-22).

LPS conservatorship checklist for families

- [ ] Confirm which county's Public Guardian office is handling, or would handle, the case
- [ ] Get the treating facility's contact information and the case manager's name
- [ ] Ask whether a certification review hearing has happened or is scheduled
- [ ] Find out if a temporary conservatorship has been filed, and its 30-day deadline
- [ ] Identify who is proposed as conservator, and whether a relative could serve instead
- [ ] Confirm whether the conservatorship covers the person, the estate, or both
- [ ] Note the expiration date and set a renewal reminder 3 months ahead
- [ ] Ask what the county fee schedule charges the estate
- [ ] Keep copies of court orders and physician declarations together
- [ ] Talk with an attorney if the family disagrees with the recommendation