

<p><b>SUPERIOR COURT OF CALIFORNIA,</b></p> <p><b>COUNTY OF</b></p> <p>STREET ADDRESS:</p> <p>MAILING ADDRESS:</p> <p>CITY AND ZIP CODE:</p>	<p><i>(Do not file or lodge in case file)</i></p>
<p>CERTIFYING ATTORNEY</p> <p><i>(Name):</i></p>	<p>State Bar No.:</p>

**CERTIFICATION OF ATTORNEY CONCERNING QUALIFICATIONS FOR COURT APPOINTMENT IN**  
 **CONSERVATORSHIPS**     **GUARDIANSHIPS**

**NOTICE TO ATTORNEYS:**

1. If you were appointed by the court in a conservatorship or guardianship matter that is pending on April 1, 2008, or if you are a deputy public defender with direct responsibility for the performance of legal services on the appointment of a county's public defender in such a matter, you must certify on or before that date that you are qualified for the appointment under rule 7.1101(b) or 7.1101(c) of the California Rules of Court.
2. On or after April 1, 2008, you must certify to the court that you are qualified under rule 7.1101(b) or 7.1101(c) before you may be appointed by the court, or may be placed in direct responsibility for the performance of legal services on appointment of a county's public defender, in a conservatorship or guardianship matter.
3. Under certain circumstances, courts with four or fewer authorized judges may waive the qualifications for appointed counsel under rule 7.1101. Such courts may also, without an express waiver, appoint private counsel who are not insured if counsel demonstrate that they are adequately self-insured. (See rule 7.1101(e).)

I certify as follows *(check all boxes that apply)*:

1. I was admitted to the State Bar of California on *(date)*: \_\_\_\_\_ . I am currently an active member.
2. My contact information is as follows:
  - a. Firm or employer name:
  
  - b. Address:
  
  - c. Telephone number: \_\_\_\_\_ d. Fax number: \_\_\_\_\_
  - e. E-mail address: \_\_\_\_\_
3.  I am an attorney in private practice.
  - a. As of the date of this certification, I have had no discipline imposed by the State Bar of California within the 12-month period immediately preceding that date. *(Initial here)*: \_\_\_\_\_
  - b.  I am qualified to accept appointments by the court to represent minors in probate guardianships under Probate Code section 1470 under rule 7.1101(b)(1) of the California Rules of Court, in that:
    - (1)  Within the five years immediately before the date of this certificate, I have represented at least three wards or proposed wards in probate guardianships, three children in juvenile court dependency or delinquency proceedings, or three children in child custody proceedings under the Family Code; or
    - (2)  I am qualified for appointment to represent children in juvenile dependency proceedings under local court rules required by rule 5.660 of the California Rules of Court; or
    - (3)  I am qualified for appointment to represent children in custody proceedings under the Family Code under rule 5.242 of the California Rules of Court.

**CERTIFICATION OF ATTORNEY (Name):**

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3. (cont.) c.  I am qualified to accept appointments by the court to represent conservatees or proposed conservatees under Probate Code sections 1470 or 1471 under rule 7.1101(b)(2) of the California Rules of Court, in that, within the five years immediately before the date of this certificate:
- (1)  I have represented at least three conservatees or proposed conservatees in probate or Lanterman-Petris-Short Act conservatorship proceedings; or
  - (2)  I have completed at least three of the following five tasks:
    - (A)  Represented probate conservatorship petitioners at commencement of three probate conservatorship proceedings, from initial contact with the petitioner through the appointment hearing and issuance of Letters of Conservatorship;
    - (B)  Represented a petitioner, a conservatee or a proposed conservatee, or an interested third party, in two contested probate or Lanterman-Petris-Short Act conservatorship matters (*a contested matter that qualifies under items (A) and (B) may be applied to both items*);
    - (C)  Represented a party for whom a court could appoint counsel in a total of three matters under Probate Code sections 1470, 1471, 1954, 2356.5, 2357, 2620.2, 3140, or 3205;
    - (D)  Represented fiduciaries in three cases for settlement of a court-filed account and report, through filing, hearing, and settlement, in any combination of probate conservatorships or guardianships, decedents' estates, or trust proceedings under division 9 of the Probate Code; or
    - (E)  Prepared five wills or trusts, five durable powers of attorney for health care, and five durable powers of attorney for asset management.
- d. (Choose item d(1) or d(2). If you check item d(2) and are otherwise qualified under items 3a–c, you do not also need to complete item 5.)
- (1)  I am covered by professional liability insurance in the amount of at least \$100,000 per claim and \$300,000 per year. My insurer is (*specify*):
  - (2)  I wish to be considered for appointment by a court with four or fewer authorized judges. I am not covered by professional liability insurance in at least the minimum amounts stated in (1), but I believe that I would be adequately self-insured against any damage claim arising from my representation of any person on appointment of the court under Probate Code sections 1470–1472 and rule 7.1101. Facts supporting my belief are specified in Attachment 3d(2).
- e. I will, if requested, provide the case names and numbers, courts, and parties I represented in the court proceedings identified above and, if item 3c(2)(E) is checked, redacted copies of the estate planning documents prepared.
4.  I am a deputy public defender of (*name of county*):
- a.  I would be directly responsible for performing legal services for minors in probate guardianships on the appointment of my county's public defender under Probate Code section 1470. I certify that I am qualified to perform those services under rule 7.1101(c)(1) of the California Rules of Court, in that:
    - (1)  I satisfy the experience requirements for attorneys in private practice for appointment to represent minors in probate guardianships identified in item 3b above, as shown by the boxes checked in that item (*check the box for item 3b above and as many of the boxes for items 3b(1), 3b(2), or 3b(3) as apply to you, but do not check the box for item 3*); or
    - (2)  I have at least three years' experience representing minors in juvenile dependency or delinquency proceedings or patients, proposed conservatees, or conservatees in postcertification judicial proceedings or conservatorships under the Lanterman-Petris-Short Act.
  - b.  I would be directly responsible for performing legal services for conservatees or proposed conservatees in probate conservatorships on the appointment of my county's public defender under Probate Code sections 1470 and 1471. I certify that I am qualified to perform those services under rule 7.1101(c)(1) of the California Rules of Court, in that:

**CERTIFICATION OF ATTORNEY** *(Name):*

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4. *(cont.)* b. (1)  I satisfy the experience requirements for attorneys in private practice for appointment to represent conservatees or proposed conservatees in probate conservatorships identified in item 3c above, as shown by the boxes checked in that item *(check the box for item 3c above and as many of the boxes for items 3c(1) and 3c(2)(A)–(E) as apply to you, but do not check the box for item 3)*; or
- (2)  I have at least three years' experience representing minors in juvenile dependency or delinquency proceedings or patients, proposed conservatees, or conservatees in postcertification judicial proceedings or conservatorships under the Lanterman-Petris-Short Act.
- c. I am covered by professional liability insurance in the amount of at least \$100,000 per claim and \$300,000 per year or at an equivalent level by a self-insurance program for the professional employees of my county. My insurer or self-insurance program is *(specify)*:
- d. I will, if requested, provide the case names and numbers, courts, and parties I represented in the court proceedings identified in item 3 above, if any, and, if item 3c(2)(E) is checked, redacted copies of the estate planning documents prepared.
5.  *(Complete this item if you do not qualify for appointment under items 3 or 4 above but wish to be considered for an appointment in a conservatorship or guardianship by a court with four or fewer authorized judges under rule 7.1101(e) of the California Rules of Court. If you qualify for appointment under items 3a–c but are not covered by professional liability insurance in the minimum amounts specified in item 3d(1), do not complete this item but complete item 3d(2).)*
- a. I wish to be considered by the court for appointment as legal counsel in  conservatorships  guardianships on a waiver under rule 7.1101(e) of the California Rules of Court.
- b.  I am an attorney in private practice.
- (1) Facts supporting my appointment are stated in attachment 5 to this certification. I certify that the facts stated are true and correct.
- (2)  I am covered by professional liability insurance in the amount of at least \$100,000 per claim and \$300,000 per year. My insurer is *(specify)*:
- (3)  I am not covered by professional liability insurance in at least the minimum amounts stated in (2), but I believe that I would be adequately self-insured against any damage claim arising from my representation of any person on appointment of the court under Probate Code sections 1470–1472 and rule 7.1101. Facts supporting my belief are specified in Attachment 5b(3).
- c.  I am a deputy public defender who would be responsible for performing legal services on the appointment of my county's public defender.
- (1) Facts supporting my appointment are stated in attachment 5 to this certification. I certify that the facts stated are true and correct.
- (2) I am covered by professional liability insurance in the amount of at least \$100,000 per claim and \$300,000 per year or at an equivalent level by a self-insurance program for the professional employees of my county. My insurer or self-insurance program is *(specify)*:
6.  Additional information required by the court  is provided in attachment 6.  is submitted separately with this certification.  is as follows:

Additional space provided and signature required on next page.

**CERTIFICATION OF ATTORNEY** *(Name):*

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6. *(cont.)* Additional information required by the court :

I certify that the foregoing, including statements made in all attachments and other documents submitted with this certification, is true and correct.

Dated:

\_\_\_\_\_  
(TYPE OR PRINT NAME OF CERTIFYING ATTORNEY )

  
\_\_\_\_\_  
(SIGNATURE)