

# **From the Law Office of AMBER RODRIGUEZ**

## **Significant Change to Local Rule Governing Fee Waivers in Conservatorship Matters**

There is currently a significant change proposed for our local rule governing fee waivers in conservatorship matters. The current rule can be found under section 10.02.D.2. Under the current rule, parties must periodically re-submit their request to have fees waived. However, the proposed changes would generally make periodic resubmissions unnecessary.

The proposed change to 10.02.D.2. would, in summary, allow an order granting a request for a fee waiver to be valid for the duration of the conservatorship, unless otherwise ordered by the court. In addition, there will be a pro-active duty imposed upon parties and their attorneys to report any material change in circumstance to the court. If no material change occurs, the orders shall remain valid for the entire length of the conservatorship. The proposed changes are scheduled to take effect on January 1, 2014. It is important to note that the revised rule does not apply to orders issued prior to January 1, 2014. Thus, if you have an existing fee waiver order, you will need to submit a new request to waive fees to receive a “lifetime” order.

This is an important change for conservatorships in our county. We hope that the change will eliminate any questions by the court investigator’s office as to the period of time during which an order is valid. In addition, this change should allow those estates with little or no resources to minimize the assistance they need from an attorney once the conservatorship is established.

Other changes to our local rules, as well as additional information about the above changes, can be found on the court’s website at [www.ventura.courts.ca.gov](http://www.ventura.courts.ca.gov).

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