PROBATE NOTES FOR DEPARTMENT 5 – NOVEMBER 16, 2026

1. **LPS Conservatorship of Jessica Thompson (PR120863)**

This matter is before the Court on the petition of the Tuolumne County Public Guardian for reappointment as LPS conservator of Jessica E. Thompson. The initial petition was granted and the letters and order of appointment were filed 11/24/25. The conservatorship will terminate by operation of law on November 23, 2026. (WIC § 5361(a)). In support of its petition, Petitioner filed the declaration of Tuolumne County Behavioral Health psychiatrist Dr. Alan Peters in Sonora, CA. Dr. Peters indicates in his declaration that he believes Conservatee is still in need of a conservator because she is gravely disabled due to a mental disorder. According to his declaration, the conservatee herself requests to leave the conservatorship in place for another year as a safety net.

Welfare and Institutions Code section 5361(b) specifies that when filing for reappointment, the conservator must include with its petition (1) the opinion of two physicians or licensed psychologists "who have a doctoral degree in psychology and at least five years of postgraduate experience in the diagnosis and treatment of emotional and mental disorders" or request that the Court appoint them, and (2) an attestation by the conservator that they have considered all available alternatives to conservatorship.

Here, Petitioner has attached one of the required declarations, from Dr. Peters. Petitioner does not request the Court to appoint a second qualified medical practitioner to attest to the need for ongoing conservatorship, although the Court will order such appointment if Petitioner so requests at hearing. Additionally, the Petition does not contain the required attestation by Petitioner. This must be submitted before the Court can order reappointment. Time is of the essence in this matter, given the imminent expiration of the conservatorship. Therefore, ideally Petitioner will submit the missing declaration and attestation prior to hearing on Monday, November 16, 2026. Upon receipt of these missing documents, the Court intends to approve the continuation of this LPS conservatorship for another year.

The Court notes that Petitioner submitted an *ex parte* request for appointment of counsel to represent Conservatee, and that an order of appointment was signed by the Court and filed November 3, 2026.

2. **Guardianship of Luke David Gwin (PR11711)**

This matter is before the court on Petitioner guardian's motion to terminate the guardianship filed October 9, 2026. Petitioner avers that although she believes that guardianship is still necessary, she cannot continue as guardian because the ward, Luke, is exhibiting many behavioral issues including physical violence. The ward recently ran away, assisted by his mother, and went to stay with her for five days before returning when she said it was not a good time for her to take him. Notice of the Petition to Terminate was served on the mother but not the father (who is deceased) or the maternal or paternal grandparents.

Ordinarily, a parent reclaiming a child upon termination of guardianship must demonstrate that they have stable housing, a source of income, and can provide the child a good home. The Court anticipates that the investigator's report will address these factors and give guidance as to the Court's options for placement in the event it grants termination or permits the guardian to step down and be replaced by a willing successor guardian. Pending receipt and review of the investigator's report, the Court intends to continue hearing on the petition for a few weeks to allow for service on the grandparents. Service may be by mail.