



LPS vs Probate Conservatorship

DPOA information can be found in Advanced Directives, living wills, or other legal documents

DPOAs specifically have to be assigned for healthcare and/or finances

Capacity to assign a DPOA should be specifically assessed if no DPOA is assigned

| | Lanterman-Petris-Short (LPS) | Probate |
|--------------------------------------|---|---|
| Indication | Psychiatric conditions | Non-psychiatric conditions (e.g., dementia) |
| Psychiatric medical decisions | Conservator may give consent for psychiatric medications | Conservator may not give consent for psychiatric medications unless given authority by the court to treat dementia |
| Non-psychiatric medical decisions | Must be granted by the court | Conservator may give consent for medical decisions |
| Finances (conservator of the estate) | Conservator rarely controls finances; the Public Guardian acts as payee | Conservator can make decisions about finances |
| Term | One year | Indefinite |