

CALIFORNIA COURT OF APPEAL, THIRD APPELLATE DISTRICT

Shasta County Public Guardian v. R.R.

Conservatorship of R.R. · No. C104253 · Decided May 20, 2026

SUMMARY

The California Court of Appeal affirmed the reappointment of the Shasta County Public Guardian as conservator of R.R. It held that R.R. forfeited her hearsay challenge to an expert’s testimony by failing to object at trial and could not establish ineffective assistance of counsel on the record. The court also held that the renewed conservatorship properly began on the date of the reappointment order rather than the day after the prior conservatorship expired.

CASE DETAILS

|                       |                                                                                                                                                                                                                                      |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | California Court of Appeal, Third Appellate District                                                                                                                                                                                 |
| WRITING FOR THE COURT | Robie, Acting Presiding Justice; Boulware Eurie, Justice; Feinberg, Justice                                                                                                                                                          |
| JURISDICTION          | California Court of Appeal, Third Appellate District                                                                                                                                                                                 |
| DECIDED               | May 20, 2026                                                                                                                                                                                                                         |
| DOCKET                | C104253                                                                                                                                                                                                                              |
| DISPOSITION           | affirmed                                                                                                                                                                                                                             |
| PROCEDURAL POSTURE    | R.R. appealed from the Shasta County Superior Court's order reappointing the Shasta County Public Guardian as her conservator under Welfare and Institutions Code section 5361.                                                      |
| STANDARD OF REVIEW    | The opinion does not expressly identify a standard of review. The hearsay issue was reviewed under the forfeiture and ineffective-assistance framework, and the statutory start-date issue was resolved by statutory interpretation. |
| PRECEDENTIAL VALUE    | Published in part; part II of the Discussion, concerning the commencement date of a renewed conservatorship, is certified for publication, while part I, concerning hearsay and ineffective assistance, is not published.            |
| PARTIES               | R.R. v. Shasta County Public Guardian, as Conservator                                                                                                                                                                                |

TOPICS

conservatorship

hearsay

preservation of error

statutory interpretation

appellate procedure

## PRACTICE AREAS

Conservatorship

Evidence

Appellate procedure

Statutory interpretation

## QUESTIONS PRESENTED

1. Whether the trial court erred by admitting Dr. Mahoney's testimony relating case-specific hearsay from R.R.'s medical records when R.R. did not object at trial.
2. Whether R.R. was entitled to have the renewed conservatorship begin automatically on the day after the prior conservatorship expired rather than on the date the superior court reappointed the conservator.

## HOLDINGS

1. R.R. forfeited her appellate challenge to the admission of Dr. Mahoney's hearsay testimony because she did not object in the trial court.
2. A renewed conservatorship begins on the date the superior court appoints or reappoints the conservator, not automatically on the day after the prior conservatorship expires.

## KEY QUOTATIONS

*“Ordinarily, ‘the failure to object to the admission of expert testimony or hearsay at trial forfeits an appellate claim that such evidence was improperly admitted.’” (5)*

*“Section 5361 unambiguously states that a conservatorship begins upon “the appointment of the conservator by the superior court” and ends automatically one year later.” (7)*

*“R.R. would have us retroactively restart a conservatorship on the date of the prior termination, but the language of the statute provides no basis for beginning a conservatorship before the issuance of a court order reappointing the conservator.” (8)*

## FACTUAL BACKGROUND

R.R. had schizophrenia and had previously been placed under a one-year conservatorship because of grave disability. At the reappointment hearing, she gave inconsistent and unrealistic accounts of her ability to manage medication, obtain food, clothing, and shelter, and secure housing. Clinical psychologist Dr. John Mahoney testified about her medical history, his evaluation of her, her medication-management abilities, problem-solving performance, limited insight, and grave disability. The trial court reappointed the public guardian as conservator, excluding only the proposed power to consent to routine medical care.

## PROCEDURAL HISTORY

The superior court reappointed the Shasta County Public Guardian as conservator after a hearing at which R.R. and a clinical psychologist testified. The court rejected R.R.'s hearsay objection argument because no objection had been made at trial and ordered the renewed conservatorship to begin on June 3, 2025, the date of

reappointment. The Court of Appeal affirmed; on May 20, 2026, it modified the opinion and certified it for partial publication, with part I of the discussion excluded from publication.

## DISPOSITION

affirmed

## CASES CITED

- People v. Sanchez (2016) 63 Cal.4th 665, 674-675, 685-686
- Conservatorship of K.W. (2017) 13 Cal.App.5th 1274, 1283-1286
- People v. Perez (2020) 9 Cal.5th 1, 7
- People v. Partida (2005) 37 Cal.4th 428, 434
- Conservatorship of David L. (2008) 164 Cal.App.4th 701, 710
- People v. Johnsen (2021) 10 Cal.5th 1116, 1165
- People v. Bell (2019) 7 Cal.5th 70, 125
- People v. Jasso (2025) 17 Cal.5th 646, 676
- People v. Lopez (2008) 42 Cal.4th 960, 972
- Conservatorship of S.A. (2018) 25 Cal.App.5th 438, 447
- Conservatorship of Whitley (2010) 50 Cal.4th 1206, 1214
- People v. Nolasco (2021) 67 Cal.App.5th 209, 217-227
- Conservatorship of Jose B. (2020) 50 Cal.App.5th 963, 967-975
- Rattagan v. Uber Technologies, Inc. (2024) 17 Cal.5th 1, 39