

Legalized Ableism: A Look Into the Criminality of Conservatorship Hearings in the U.S.

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Currently, conservatorship proceedings in the U.S. are slowly and systematically stripping people with disabilities of their agency. In one swift move, strangers are petitioning to become conservators for persons the Court deems “incompetent”. In doing so, conservators are allowed to possess the assets or property of the person, bill the conservatee’s trust, restrict access to their family, and drain the conservatee’s resources as they fight for freedom. This practice has been used to actively oppress people with disabilities, displaying the deadly results of legalized ableism. In this research, I explore criminal conservatorship: the practice that uses an already misguided system of conservatorship for deadly purposes. This research examines how the predatory system, which has been enforced with no oversight, has negative impacts on peoples with disabilities and their families. Finally, I put forth a legal argument refuting the practice of criminal conservatorship and give recommendations for amendments to Senate Bill 303 and future legislation.