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Effective:[See Text Amendments]

West's Annotated California Codes [Currentness](#)

Probate Code ([Refs & Annos](#))

▣ [Division 2. General Provisions \(Refs & Annos\)](#)

▣ [Part 17. Legal Mental Capacity \(Refs & Annos\)](#)

→→ **§ 812. Capacity to make decisions**

Except where otherwise provided by law, including, but not limited to, [Section 813](#) and the statutory and decisional law of testamentary capacity, a person lacks the capacity to make a decision unless the person has the ability to communicate verbally, or by any other means, the decision, and to understand and appreciate, to the extent relevant, all of the following:

- (a) The rights, duties, and responsibilities created by, or affected by the decision.
- (b) The probable consequences for the decisionmaker and, where appropriate, the persons affected by the decision.
- (c) The significant risks, benefits, and reasonable alternatives involved in the decision.

CREDIT(S)

(Added by [Stats.1996, c. 178 \(S.B.1650\), § 5.](#))

Current with urgency legislation through Ch. 11 of 2014 Reg.Sess. and all propositions on the 6/3/2014 ballot.

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