

lot of people involved in a lot of things, because there are very few people involved in a lot of things, because there are very few people who engaged in this type of law and that makes another point, that when you do have a specialty, the people who practice this specialty are generally few and the work involved in the specialty generally migrates to those individuals who know what they're talking about, and that's why we have so few people involved in so many cases, because Indian law does involve specialties.

Mr. TUNNEY. Can I just ask a question here? Is it the custom in California for a conservator of an estate to represent that estate also as an attorney?

Mr. CLEARY. When you say "customary," I'd have to say "No," because there are so few attorneys who are capable of acting in the fiduciary capacities, so few attorneys have the business acumen which would warrant their being appointed a fiduciary, and it's not a practice.

Mr. TUNNEY. I was thinking in reference to your term of Mr. Hollowell representing this particular Indian both as a conservator and his attorney, and the question was whether he was charging him as the conservator or the attorney: you don't know if it's schizophrenia. The only thought that I have there is, I think it is important to know for which service he was charging, either conservator or as attorney; don't you agree?

Mr. CLEARY. Yes; but I should think his petition for fees would show what he was asking for.

Mr. TUNNEY. I'm sorry if I misunderstood your schizophrenia remark.

Mr. CLEARY. I was making reference to the order that the conservator must specifically order the attorney's work done, and I was being facetious as to how Mr. Hollowell, as conservator, could order himself, as attorney, to do certain work.

Mr. TUNNEY. But, in effect, he had to do it?

Mr. CLEARY. In effect he had to do it, yes; but I don't think he did it by changing hats. I think it was that when a problem came up that involved the services as a conservator, for instance——

Mr. TUNNEY. You don't think there's a problem?

Mr. CLEARY. I don't see it, no; because quite frequently you have not inconsolables, but quite frequently you do have other instances where people represent themselves, and I don't think it's necessarily a problem specifically involved in this area.

Now, we come to the meat of the matter. The report says that the conservatorship program has been——

Mr. EDMONDSON. How much time are you going to spend on the meat of the matter? We've been listening to you for about 2 hours now on what I thought was some of the meat.

Mr. CLEARY. I'll be brief because it's in the report, in my testimony. The report says that "This program has been costly to the Indian in economic terms and in human terms." As I've indicated, certainly anything is subject to interpretation, but the Indian a decade ago was a lot worse off in terms of his assimilation into society, to command the respect from society, the respect that he was entitled to from society. Today, he's an income individual, doing, acting, living as any other human being, and this, I think, is the minimum that he can expect, and