

Probate Notes for August 12, 2015

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. Unless an appearance at the hearing is otherwise required by law, if petitioner submits a proposed order prior to the hearing and the recommendation is to grant the petition, no appearance is necessary. If you are scheduled to appear and there is no probate note issued in your case, you should appear as scheduled. If you wish to continue a matter, you must contact the civil division at (530) 406-6704, at least two (2) court days before your hearing.

Please note: The following probate matters will be heard in **Department Two at 9:00 a.m.**

CASE: Conservatorship of Davis
Case No. CV PC 12-131

It is recommended to approve the court investigator's report. (Prob. Code, § 1850 et seq.)

CASE: Conservatorship of Lamp-Smith
Case No. CV PC 11-67

It is recommended to approve the court investigator's report. (Prob. Code, § 1850 et seq.)

CASE: Conservatorship of Shade
Case No. CV PC 15-119

The Court notes the following deficiencies:

1. The following paragraphs of the petition are blank: 1(c), 3(e), and 3(f).
2. Proof that the citation and petition were served on the proposed conservatee at least 15 days before the hearing has not been filed with the Court. (Prob. Code, § 1824.)
3. Proof that the notice of hearing has been served on the required parties has not been filed with the Court. (Prob. Code, § 1822.)
4. The conservatee is not represented by an attorney. (Prob. Code, §§ 2356.5, subd. (f)(l), 1470 et seq.)
5. The attachment requesting special orders regarding dementia (form GC-313) is not attached to the petition.
6. An acknowledgment of receipt of the *Duties of Conservator and Acknowledgement of Receipt of Handbook* form has not been filed with the Court. (Prob. Code, § 1834; Cal. Rules of Court, rule 7.1051.)

Additionally, the Court notes that the petition states the proposed conservatee is unable to attend the hearing because of medical inability. However, the capacity declaration filed on July 2, 2015, states that the proposed conservatee is able to attend the hearing.

The parties are **DIRECTED TO APPEAR** for appointment of counsel for the proposed conservatee.

CASE: Conservatorship of Westervelt
Case No. CV PC 11-07

It is recommended to approve the court investigator's report. (Prob. Code, § 1850 et seq.)

CASE: Estate of Childers
Case No. CV PB 13-195

On the Court's own motion, the matter is **CONTINUED** to Wednesday, September 16, 2015, at 9:00 a.m. in Department 11, so that the Court may more thoroughly consider the petitions filed by Craig Childers.

CASE: In the Matter of Reynolds, Jr.
Case No. CV P2 15-105

It is recommended to grant the petition to determine succession to real property. (Prob. Code, § 13150 et seq.)