

## **Probate Notes for March 15, 2016**

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 Yolo Superior Court is now located at 1000 Main Street, in Woodland. The following probate matters will be heard in **Department Eleven at 9:00 a.m.**

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**CASE:           Estate of Clinton**  
**Case No. CV PB 14-154**

The Court notes the following deficiencies:

1. The notice of hearing fails to state that allowance of attorney compensation is requested. (Prob. Code, § 11000, subd. (b).)
2. Although the notice of hearing and petition state that the final accounting has been waived, petitioner fails to attach a waiver of account, or a written acknowledgment that the person's interest has been satisfied, from each person entitled to distribution from the estate. (Prob. Code, § 10954, subd. (a)(1).)
3. Petitioner fails to include the requisite information regarding the creditor's claim filed by Bank of America on December 5, 2014. (Prob. Code, § 10900, subd. (b)(2)-(3).)
4. Petitioner fails to include a detailed schedule of receipts as required to support the request for statutory compensation. Petitioner requests compensation be paid to her attorney based on an amount different than the amount listed in the inventory and appraisal filed with the Court on February 3, 2015. (Petition, ¶ 25; Cal. Rules of Court, rules 7.705(b).)

**CASE:           Estate of Leiser**  
**Case No. CV PB 82-17051**

It is recommended to grant the unopposed petition to appoint Mary Leiser as the successor trustee of the trust created on January 21, 1982, pursuant to the last will and testament of Fred J. Leiser. (Prob. Code, § 17200, subd. (b)(10); Petition, Exh. A, p.6, ¶ 7.) Petitioner Peter K. Leiser is directed to submit a proposed order prior to the hearing.

**CASE:           Estate of Parks**  
**Case No. CV PB 14-51**

It is recommended to approve the first and final account and report of executor, and to grant the petition for allowance of statutory compensation to the executor and for ordinary and extraordinary compensation to the attorney, for reimbursement of costs to the executor, for authorization to withhold a reserve fund, and for final distribution and settlement of the estate. (Prob. Code, § 11600 et seq.)