

Probate Notes for June 27, 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.**

**CASE: Conservatorship of Kavrell
 Case No. CV PC 16-75**

The Court notes the following deficiencies:

1. A Capacity Declaration (form GC-335) has not been filed with the Court. (Prob. Code, §§ 1881, 1890.)
2. Notice of the hearing was not provided to the ALTA Regional Center at least 30 days before the date of the hearing, as required. (Prob. Code, § 1822, subd. (e), (1827.5).
3. A confidential written report of the regional center's findings and recommendations must be filed with the Court. (Prob. Code, § 1827.5.) The regional center's report must also be mailed, at least five days prior to the hearing, to the proposed conservatee and the petitioner, or attorney of the petitioner. (Ibid.)

It is recommended to appoint legal counsel for the proposed limited conservatee. (Prob. Code, § 1471, subd. (c).)

**CASE: Estate of Dubach
 Case No. CV PB 16-76**

The Court notes the following deficiencies:

1. Paragraph eight of the petition does not include Merrill Dubach or Diane Bacchini as persons mentioned in decedent's will.
2. Petitioner failed to file a proof of service showing the notice of hearing was served on Merrill Dubach, a named beneficiary in decedent's will. (Prob. Code, § 8110, subd. (b).)
3. Petitioner failed to file a proof of service showing the notice of hearing was served on Diane Bacchini, a named successor co-executor in decedent's will. (Prob. Code, § 8110, subd. (b).)

**CASE: Estate of Skyler,
Case No. CV PB 16-68**

If proof of publication is filed with the Court, it is recommended to grant the petition for letters of administration, and for full authority under the Independent Administration of Estates Act. (Prob. Code, § 8000 et seq.)

**CASE: In the Matter of the Soto Family Trust
Case No. CV P2 16-74**

On the Court's own motion, the matter is **CONTINUED** to Monday July 18, 2016, at 9:00 a.m. in Department 11 so that the Court may more thoroughly consider the petition filed by Mary Ellen Van Buren.