

## Probate Notes for June 9, 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 Welch  
                    Case No. CV PC 16-12**

It is recommended to **DENY** the petition for approval of the first and final account and report of the temporary conservator and to **DROP FROM CALENDAR** the petition for termination of the temporary conservatorship. The petition for approval of the temporary conservator's account and report is based on an incomplete inventory and appraisal. The inventory and appraisal filed with the Court on May 23, 2016, incorrectly states that no probate referee is required. A probate referee is required to appraise the conservatee's real property and automobile. Further, the petitioner fails to cite any legal authority to support her petition for approval of the first and final account and report of the temporary conservator. (Prob. Code, § 2620, subd. (a).) The Court also notes that the accounting period provided extends past the date that the temporary conservatorship expired. Finally, pursuant to the terms of the temporary letters of conservatorship, the temporary conservatorship expired on April 19, 2016. Therefore the petition for termination is moot.

It is recommended to **GRANT IN PART** the motion for attorney's fees in the amount of \$8,520.00. The Court declines to award attorney's fees for the time Matthew S. Crider and his staff spent preparing the petition for approval of the first and final account and report of the temporary conservator, the petition for termination of the temporary conservatorship, and the incomplete inventory and appraisal and related ex parte papers. Petitioner fails to establish the benefit of the services to the conservatorship, or the results achieved, for these charges. (Cal. Rules of Court, rules 7.702, 7.751.) It is recommended to **GRANT** the request for reimbursement of costs in the amount of \$622.13.