

## Probate Notes for July 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.**

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**CASE:            Conservatorship of Shinn**  
**Case No. CV PC 16-86 & CV PC 16-107**

It is recommended to appoint legal counsel for the conservatee. (Prob. Code, §§ 2356.5, subd. (f)(1), 1470 et seq.)

The Court notes the following deficiencies with Dennis Cline's petition for appointment of probate conservator:

1. 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.)
2. Proof that the notice of hearing has been served on the required parties has not been filed with the Court. (Prob. Code, § 1822.)
3. The attachment requesting special orders regarding dementia (form GC-313) is not attached to the petition.
4. A *Capacity Declaration* (form GC-335) has not been filed with the Court. (Prob. Code, §§ 1881, 1890.)
5. A declaration of a licensed physician, or a licensed psychologist supporting the petition has not been filed with the Court. (Prob. Code, § 2356.5, subd. (f)(3).)
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.)
7. Petitioner failed to file a proposed Order Appointing Court Investigator (form GC-330). (Petition, ¶ 13.)

The Court notes the following deficiencies with Milton Shinn's petition for appointment of probate conservator:

1. 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.)
2. Proof that the notice of hearing has been served on the required parties has not been filed with the Court. (Prob. Code, § 1822.)

3. A *Capacity Declaration* (form GC-335) has not been filed with the Court. (Prob. Code, §§ 1881, 1890.)

On the Court's own motion, the matter is **CONTINUED** to Wednesday, August 24, 2016, at 9:00 a.m. in Department 11 for completion of the court investigator's report.

**CASE: LPS Conservatorship of Raven**  
**Case No. LP SQ 16-30**  
**Hearing date: July 27, 2016**

The Court notes the following deficiencies: The comprehensive report of the conservatorship investigating officer has not been filed with the Court and served on the requesting physician, proposed conservator, and proposed conservatee, as required. (Welf. & Inst. Code, § 5354 et seq.)

**CASE: In re the matter of the Steven Marschke 2015 Revocable Trust**  
**Case No. CV P2 15-169**  
**Hearing date: July 27, 2016**

It is recommended to approve the verified second and final account and report of trustee. (Prob. Code, § 17200, subd. (b)(5). It is also recommended to approve the petition for allocation of debts. (Prob. Code, § 19020 et seq.)