

Probate Notes for August 2, 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 Cello
Case No. CV PC 16-95

The Court notes the following deficiencies:

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. 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.)
3. Petitioner failed to file a proposed Order Appointing Court Investigator (form GC-330). (Petition, ¶ 13.)

CASE: Conservatorship of Hoyt
Case No. CV PC 12-139

The parties are **DIRECTED TO APPEAR** for the continued hearing on Charles Jensen's third account and report of conservator as ordered by the Court on July 20, 2016.

CASE: Conservatorship of McCullough
Case No. CV PB 96-83

The parties are **DIRECTED TO APPEAR.**

CASE: Conservatorship of Pierson
Case No. CV PB 06-95

It is recommended to grant the verified petition of co-conservators John Pierson and Tamara McDaniel to fix the conservatee's residence outside the State of California. (Prob. Code, § 2352.)

CASE: Conservatorship of Smith
Case No. CV PC 16-57

It is recommended to grant the petition for payment to attorney for the conservatee in the amount of \$4,516.00 only. (Prob. Code, § 1470.) The Court declines to award additional attorneys' fees in the amount of \$350.00 for time not yet incurred. Petitioner is directed to submit a proposed order prior to the date of the hearing.

CASE: Estate of Chen
Case No. CV PB 16-103

The Court notes the following deficiencies:

1. Proof of publication must be filed prior to the hearing. (Prob. Code, § 8120 et seq.)
2. Based on Paragraph 8 of the petition, it appears decedent's spouse resides in Taipei, Taiwan. Where any property will pass to a citizen of a foreign country, notice must be given to a recognized diplomatic or consular official of the foreign country maintaining an office in the United States. (Prob. Code, § 8113.) Petitioner must provide the required notice, or in the alternative, demonstrate that this requirement does not apply.

CASE: Estate of Denvir
Case No. CV PB 16-93

The Court notes the following deficiency: Paragraph eight of the petition does not include any of the alternate beneficiaries identified in paragraphs 10(A) and 10(B) of the will dated February 17, 1999 or codicil dated July 4, 1999, as persons mentioned in decedent's will.