

Probate Notes for September 1, 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 England
Case No. CV PC 13-134

It is recommended to deny the request for judicial notice. (*Sosinsky v. Grant* (1992) 6 Cal.App.4th 1548, *Kilroy v. State* (2004) 119 Cal.App.4th 140, Evid. Code § 452.)

It is recommended to deny Tammy Robert's petition for surcharge and for transfer of residence under substituted judgment. Petitioner fails to submit evidence to establish that the First Amendment to the Janice C. England 1999 Trust dated August 7, 2012 ("First Amendment") or Second Amendment to the Janice C. England 1999 Trust dated April 10, 2013 ("Second Amendment") have been determined to be invalid by order of this Court. Further, petitioner fails to establish that she is the current successor trustee. No evidence has been submitted to establish that Mark England has been removed as successor trustee pursuant to the terms of the First Amendment.

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

A petition to appoint Janice Sedgely as conservator of the person and estate of Vivian Shinn must be filed with the Court.