



(1) First and Final Account and Report of Executor and Petition for Its Settlement,  
 (2) for Allowance of Compensation to Executor and Attorneys for Ordinary Services, (3) for Final Distribution (Prob. C. 1064(a), 10400, 10951, 11640)

<b>DOD: 6-26-09</b>	<b>HOPE KALBAUGH</b> , Daughter and Executor with Full IAEA without bond, is Petitioner.		<b>NEEDS/PROBLEMS/COMMENTS:</b>  <b>1. The statutory fee calculation appears to be incorrect based on the following:</b>  - Petitioner includes cash advances to the estate in the calculation of the fee base for statutory fees  - Petitioner states the loss on the property is \$68,605.23, which includes the closing expenses associated with the sale; however, Examiner notes that loss is calculated by subtracting the gross sale price from the inventory value, which is \$45,000.00.  However, Examiner is unable to determine the actual correct statutory fee based on the information provided because the Receipts Schedule contains numerous items from unknown sources, and questionable items, such as "spousal support" dated two years after the date of death.  Therefore, need clarification.  However, based on the Petitioner's statement that she and Decedent's mother advanced at total of \$47,293.74, if all other receipts are appropriate to include, the statutory fee would be \$9,803.32.  <b>2. Petitioner requests reimbursement for Fed Ex overnight mail for \$15.66, which is considered by the Court to be a cost of doing business and not reimbursable (Local Rule 7.17). Need clarification.</b>  <b>3. Need Order.</b>  <u>Note:</u> Although there are not enough funds to pay the fees/costs, authorization is still requested.  Reviewed by: skc Reviewed on: 1-23-12 Updates: Recommendation: File 2 - Miller
	Account period: 6-26-09 through 11-14-11		
	Accounting: \$ 432,459.51		
	Beginning POH: \$ 351,025.02		
	Ending POH: \$ 11,278.43		
	Executor (Statutory): \$10,277.09		
	Attorney (Statutory): \$10,277.09		
	Costs: \$485.00 (\$645.66 less \$460.66 paid by Petitioner for filing fees, certified copies, Fed Ex overnight mail)		
	Executor (Extraordinary): Waived		
	Attorney (Extraordinary): Waived		
	<b>Petitioner proposes to distribute the remaining assets as follows:</b>		
	Franchise Tax Board: \$1,501.55		
	Attorney's fees and costs: \$1,555.37		
	Executor's commission and expenses of administration: \$4,222.74		
	Reimburse Billie Baird (Decedent's mother) for expenses of administration: \$3,603.77		
	<b>Petitioner states the estate is insolvent and after the above distribution there will be unpaid expenses of administration in the amount of \$55,386.64, unpaid funeral expenses of \$8,508.92, and \$143,711.46 in general debts (creditor's claims) that will not be paid. Petitioner proposes each payee's share of the remaining estate on Exhibit "F."</b>		
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<input checked="" type="checkbox"/>	9202		
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<input type="checkbox"/>	Aff. Posting		
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<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice		

**3 The Christina Romar Beneficiary Trust (Special Needs Trust)**

Case No. 10CEPR00596

Atty Sharbaugh, Catherine (for Petitioner/Trustee Good Shepard Fund)

(1) Amended First Account and Report of Trustee of Christine Romar Beneficiary Trust; Petition to Settle Account; and (2) to Fix & Allow Trustee and Attorney Fees [Prob. C. 1060, 2620, and 17200(a)(5), Govt. C. 70652(d)]

Beneficiary age: 13 years DOB: 12/15/1998	<p><b>GOOD SHEPARD FUND</b>, Trustee, is petitioner.</p> <p>Account period: 5/10/10 – 4-30-11</p> <p>Accounting -       <b>\$67,650.07</b> Beginning POH-   <b>\$0</b> Ending POH-       <b>\$66,916.53</b></p> <p>Trustee       -       <b>\$721.25</b> (per itemization and declaration)</p> <p>Attorney       -       <b>\$825.00</b> (per itemization and declaration 3.45 hrs @ \$220/hr)</p> <p>Costs           -       <b>\$200.00</b> (filing fee)</p> <p><b>Petitioner prays for an Order:</b></p> <ol style="list-style-type: none"> <li>The court make an Order approving, allowing and settling the first account;</li> <li>The court authorize and direct Petitioner to pay Trustee fees in the amount of \$721.25;</li> <li>The court authorize and direct Petitioner to pay attorney fees and costs in the amount of \$1,025.00.</li> </ol>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>Bank statement shows the total amount of the pooled account but does not indicate the amount in the pooled account that belongs to this trust. The examiner is unable to verify that the account funds correspond with the property on hand.</li> <li>Need Order</li> </ol>				
Cont. from 120511						
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<table border="1"> <tr> <td>Reviewed by: KT</td> </tr> <tr> <td>Reviewed on: 1/23/12</td> </tr> <tr> <td>Updates:</td> </tr> <tr> <td>Recommendation:</td> </tr> <tr> <td>File 3A - Romar</td> </tr> </table>		Reviewed by: KT	Reviewed on: 1/23/12	Updates:	Recommendation:	File 3A - Romar
Reviewed by: KT						
Reviewed on: 1/23/12						
Updates:						
Recommendation:						
File 3A - Romar						

(1) First and Final Report of Status of Administration on Waiver of Accounting and  
 (2) Petition for Settlement Thereof; (3) for Allowance of Attorney's Statutory  
 Compensation; (4) For Reimbursement of Costs Advanced; (5) and for Final  
 Distribution

DOD: 1/18/10		<p><b>DOROTHY A. HARRIET</b>, daughter and sole heir, is Petitioner.</p> <p>Accounting is waived.</p> <p>I&amp;A - \$514,873.68          POH - \$511,311.72</p> <p>Executor - waives</p> <p>Attorney - \$13,226.23          (statutory)</p> <p>Costs advanced - \$1,256.87          (filing fees (x2), publication fee, certified letters, appraisal fee)</p> <p><b>Petitioner requests distribution, pursuant to Decedent's Will, as follows:</b></p> <p>100% of estate to Petitioner, Dorothy A. Harriet, as sole heir.</p>	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
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✓	Verified			
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✓	Not.Cred.			
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	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
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	Citation			
✓	FTB Notice			
		Reviewed by: NRN		
		Reviewed on: 1/23/12		
		Updates: 1/25/12		
		Recommendation: SUBMITTED		
		File 4 - Harriet		

**Amended Petition for Final Distribution and for Executor's Statutory and Extraordinary Fees and Reimbursement of Costs Advanced (Prob. C. 11640, 10951, 10800 and 10801)**

<b>DOD: 2/7/11</b>		<b>JANET L. WRIGHT</b> , Executor, is Petitioner.	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note:</u> Petitioner also includes a separate accounting for Decedent's Trust, which is a revocable Trust, and the sole beneficiary of the entire Estate (Petitioner is successor trustee of said Trust.) The Trust contained only three relatively small IRA accounts in the Trust, totaling \$105,684.58, as substantially all of Decedent's assets were either titled in her own name or with the Estate as pay on death beneficiary. The Trust assets were distributed to the Trust beneficiaries pursuant to the Trust terms, and there are no Trust assets left. As such, Petitioner is requesting that the Court allow final distribution directly to the Trust beneficiaries from the probate estate, as was allowed pursuant to the Court's 12/15/11 <i>ex parte</i> order (this Court approved direct preliminary distributions (totaling \$300,000.00) to the charitable beneficiaries of the Trust from the Estate).</p>
		Account Period: <u>2/7/11-1/12/12</u>	
<b>Cont. from</b>		Accounting: <b>\$865,143.64</b>	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>	Beginning POH: <b>\$843,748.73</b>	
<input checked="" type="checkbox"/>	<b>Verified</b>	Ending POH: <b>\$520,069.81</b> <i>(\$323,779.22 is cash)</i>	
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input checked="" type="checkbox"/>	<b>PTC</b>	Executor: <b>\$19,646.09</b> (statutory)	
<input type="checkbox"/>	<b>Not.Cred.</b>		
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	Attorney x/o: <b>\$15,776.00</b> <b>(attorney requests less, at \$12,250.00)</b> <i>(per itemization and declaration, for legal services rendered 2/2011-1/2012, in the following areas: coordination with officials following Decedent's death, collection and sorting of financial papers, income tax matters, liquidation of accounts, preliminary distribution, and trust matters)</i>	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	w/	
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<input type="checkbox"/>	<b>Letters</b>	4/11/11	
<input type="checkbox"/>	<b>Duties/Supp</b>		
<input type="checkbox"/>	<b>Objections</b>		
<input type="checkbox"/>	<b>Video Receipt</b>	Costs advanced: <b>\$3,526.00</b> <i>(for cleaning supplies, replacement of damaged appliances, 2/11 rent amount, publication, certified letters, files fees (x2))</i>	
<input type="checkbox"/>	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>		
<input checked="" type="checkbox"/>	<b>Order</b>		
<input type="checkbox"/>	<b>Aff. Posting</b>	Closing Reserve: <b>\$3,500.00</b> <i>(for preparation of Decedent's 2011 final tax return, the Estate's final fiduciary tax return, and the Trust's final fiduciary tax return)</i>	
<input type="checkbox"/>	<b>Status Rpt</b>		
<input type="checkbox"/>	<b>UCCJEA</b>		
<input type="checkbox"/>	<b>Citation</b>		
<input checked="" type="checkbox"/>	<b>FTB Notice</b>	<b>Petitioner requests</b> the Court approve, allow and settle the Account and approve the requested statutory, extraordinary fees as prayed, as well as the costs advanced and requested closing reserve, and distributions to the Trust beneficiaries pursuant to said Trust, the sole beneficiary of this Estate.	
			<b>Reviewed by:</b> NRN
			<b>Reviewed on:</b>
			<b>Updates:</b> 1/23/12
			<b>Recommendation:</b>
			<b>File 5 - Zachritz</b>

DOD: 2/21/09		<p><b>MARGARET MIDKIFF</b>, Daughter, was appointed Administrator of the Estate with \$5,0000.00 bond on 4/14/11.</p> <p><i>Clerk's Certificate of Mailing</i>, filed 1/11/12, shows a Notice of Status Hearing for filing of bond and/or issuance of letters(scheduled for Hearing on 1/31/12) was mailed to Attorney Burnside on 1/11/12.</p> <p>A Proof of Serve of Notice of Status Hearing, filed 1/13/12 by Attorney Burnside, indicates Notice of Status Hearing was mailed to Administrator on 1/12/12.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need bond (after which time Letters may issue).</p>
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FTB Notice			
		Reviewed by: NRN	
		Reviewed on: 1/23/12	
		Updates:	
		Recommendation:	
		File 6 - Meisel	

Age: 10/16/09	<p><b>MARGARITA SANCHEZ ROMERO</b>, surviving spouse, is Petitioner.</p> <p>No other proceedings.</p> <p>Will dated 07/03/09 and Codicil dated 09/23/09 devises the entire estate to spouse, Margarita Sanchez Romero.</p> <p>Petitioner states that she and the decedent were married on November 5, 2001 in Fresno, and were at the time of decedent’s death, husband and wife. The decedent’s assets should be passed to Petitioner as the surviving spouse of the decedent and the beneficiary of said assets under the Last Will of Miguel Martinez Romero.</p> <p>Petitioner requests Court confirmation that decedent’s real property located at 35673 W. Gettysburg, Firebaugh, a 1997 Chevrolet pickup, and a 1978 Datsun pickup passes to her.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>CONTINUED FROM 12/06/11</u></p> <p><b>Note:</b> Notice has not been given to the decedent’s three sons, Michael Romero, Anthony Romero, and Gary Romero. According to the Petition, their whereabouts are unknown and relatives will not provide addresses for them.</p> <p>It is noted that the Codicil to decedent’s Will specifically disinherits all three of the sons.</p> <p>It is further noted that the Petitioner has filed a Declaration of Publication indicating that Notice of this hearing was published in the Fresno Business Journal on December 12, 14, and 19, 2011.</p>	
Cont. from 120611			
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Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
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UCCJEA			
Citation			
FTB Notice			
<p><b>Reviewed by:</b> JF</p> <p><b>Reviewed on:</b> 01/24/12</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 7 - Romero</b></p>			

Atty Bell, Melinda S., sole practitioner of San Juan Capistrano (for Lee Ann Hitchman and Bruce Hitchman, professional fiduciaries, proposed SNT Trustees)

Atty Haselhoff, Otto L., sole practitioner of Santa Monica (for Applicant Chong Yang, Guardian Ad Litem for Kyle Yang, proposed SNT Beneficiary)

Petition for Order Establishing Special Needs Trust [Prob. C. § 3600 et seq. & C.R.C. 7.903]

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><b>OFF CALENDAR</b></p> <p style="text-align: center;"><i>Order Establishing the Kyle Yang Irrevocable Special Needs Trust was signed 1/5/2012.</i></p>
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Video Receipt		
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Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 1/23/12
		Updates:
		Recommendation:
		File 8 - Yang

DOD: 1/18/11		<p><b>ROBERT MAY</b>, surviving spouse, is Petitioner.</p> <p>No other proceedings.</p> <p>Decedent died intestate.</p> <p><b>Petitioner states</b> he was married to Decedent for 45 years. During their marriage, they took title jointly to all of their community property assets.</p> <p>Furthermore, it was not until after Decedent passed away that Petitioner discovered the real property subject to the instant Petition was merely held as “husband and wife.”</p> <p><b>Petitioner requests court confirmation that 1/2 interest in real property belongs to him and that 1/2 passes to him.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>	
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	Citation			
	FTB Notice			
		<p>Reviewed by: NRN</p> <p>Reviewed on: 1/23/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 9 - May</p>		

Atty Salazar, Steven F., sole practitioner (for Petitioner Toshiye Yonemitsu Salazar, Special Administrator)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 11/28/2011		<p><b>LETTERS OF SPECIAL ADMINISTRATION GRANTED EX PARTE; EXPIRES 3/6/2012, or upon issuance of <i>Letters Testamentary</i>.</b></p> <p><b>TOSHIYE YONEMITSU SALAZAR</b>, friend and named Executor without bond, is Petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 11/7/2011</p> <p>Residence – Fresno Publication – Business Journal</p> <p><b>Estimated value of the Estate:</b></p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$ 50,000.00</td> </tr> <tr> <td>Real property</td> <td>-</td> <td>\$100,000.00</td> </tr> <tr> <td><b>Total</b></td> <td>-</td> <td><b>\$150,000.00</b></td> </tr> </table> <p><b>Probate Referee: Rick Smith</b></p>	Personal property	-	\$ 50,000.00	Real property	-	\$100,000.00	<b>Total</b>	-	<b>\$150,000.00</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>Note: Petitioner was appointed Special Administrator on 12/6/2011 with special powers under Probate Code § 8544 (i.e., to take actions to protect the estate from waste), and to negotiate and enter into a short sale agreement regarding Decedent’s residence to prevent foreclosure.</p> <p>1. Need proof of mailed service of the <i>Notice of Petition to Administer Estate</i> for Attorney Michael Dowling, per the <i>Request for Special Notice</i> filed on 1/19/2012 pursuant to Probate Code §§ 1250.</p>
Personal property	-		\$ 50,000.00									
Real property	-		\$100,000.00									
<b>Total</b>	-		<b>\$150,000.00</b>									
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	FTB Notice											
		Reviewed by: LEG										
		Reviewed on: 1/23/12										
		Updates:										
		Recommendation:										
		File 10 - Engstrom										

Atty Shepard, Jefferson S., of Shepard Shepard & Janian, Selma (for Petitioner Gail Lewis)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

<b>DOD: 11/30/2011</b>		<p><b>GAIL MICHELE LEWIS</b>, niece and named Executor without bond, is Petitioner.</p> <p>Full IAEA – o.k.</p> <p>Will dated: 3/5/1996</p> <p>Residence – Selma Publication – Selma Enterprise</p> <p><b>Estimated value of the Estate:</b></p> <table> <tr> <td>Personal property</td> <td>-</td> <td>\$200,000.00</td> </tr> <tr> <td><u>Annual income from P/P</u></td> <td>-</td> <td><u>\$ 48,000.00</u></td> </tr> <tr> <td><b>Total</b></td> <td>-</td> <td><b>\$248,000.00</b></td> </tr> </table> <p><b>Probate Referee: Rick Smith</b></p>	Personal property	-	\$200,000.00	<u>Annual income from P/P</u>	-	<u>\$ 48,000.00</u>	<b>Total</b>	-	<b>\$248,000.00</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>
Personal property	-		\$200,000.00									
<u>Annual income from P/P</u>	-		<u>\$ 48,000.00</u>									
<b>Total</b>	-		<b>\$248,000.00</b>									
<b>Cont. from</b>												
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		S/P									
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<input type="checkbox"/>	<b>9202</b>											
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<input checked="" type="checkbox"/>	<b>Letters</b>											
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<input type="checkbox"/>	<b>UCCJEA</b>											
<input type="checkbox"/>	<b>Citation</b>											
<input type="checkbox"/>	<b>FTB Notice</b>											
			<b>Reviewed by: LEG</b>									
			<b>Reviewed on: 1/23/12</b>									
			<b>Updates: 1/25/12; 1/26/12</b>									
			<b>Recommendation: SUBMITTED</b>									
			<b>File 11 - Hobson</b>									

Atty Matlak, Steven M., of Dowling Aaron & Keeler (for Petitioner Keri O'Connor, Guardian ad Litem)  
 Atty Paboojian, Warren R., of Baradat & Paboojian (for Aidan O'Connor in *Litigation Action*)

**Petition for Order Establishing Special Needs Trust; for Authority to Invest in Mutual Funds and U.S. Government Bonds with Maturity Dates Later Than 5 Years; and for Attorney Fees (Prob. C. 3600-3613)**

Age: 7 years	<p><b>AIDAN O'CONNOR</b>, by his Guardian ad Litem, <b>KERI O'CONNOR</b>, mother, appointed by this Court ex parte on 12/15/2011, is Petitioner.</p> <p><b>Petitioner seeks an order</b> under Probate Code §§ 3600 – 3613 to establish a Special Needs Trust (SNT) with Aidan as the Beneficiary, to be funded with proceeds of a litigation settlement in Los Angeles Superior Court Case BC434539 (Litigation Action), based upon the following:</p> <ul style="list-style-type: none"> <li>Aidan has been diagnosed with Autistic Disorder, has a considerable disability with low intellectual abilities and motor skills, and will require continued multiagency collaboration and treatment as he faces greater demands (<i>please refer to Exhibit A for recent copy of Medical Report of Howard Glidden, Ph.D.</i>);</li> <li>As a result of his disability, Aidan receives Medi-Cal benefits in order to meet his health care needs; because these benefits are “needs based,” outright distribution of assets to Aidan will result in his losing eligibility for vital public benefits unless the assets are directed to an SNT; the establishment of the SNT is necessary to provide for Aidan’s needs while preserving his eligibility for public benefits;</li> <li>Parties to the Litigation Action have reach a settlement and a petition to approve the compromise has been filed, with approval pending approval of this <i>Petition</i>; after payments of the Medi-Cal lien (anticipated to be \$0) and attorney fees and costs in the Litigation Action, Aidan will receive <b>\$1,300,000.00</b>; from the total settlement amount, an annuity will be purchased for <b>\$1,100,000.00</b>, which will pay <b>\$3,750.81</b> per month; the remaining <b>\$200,000.00</b> will be deposited into a special needs trust account that will an estimated 3% annual return;</li> <li>Petitioner requests the assets from the settlement be paid to <b>BRUCE D. BICKEL</b>, private professional fiduciary, as initial Trustee of the <b>AIDAN O'CONNOR SPECIAL NEEDS TRUST</b> (<i>please refer to Exhibit B for copy of proposed SNT; Consent to Act as Trustee filed 12/14/2011</i>);</li> <li>Petitioner requests bond be fixed at <b>\$276,110.69</b> (<i>please see additional page for calculation</i>);</li> </ul> <p align="center">~Please see additional page~</p>	NEEDS/PROBLEMS/COMMENTS:
DOB: 2/20/2004		
Cont. from		
Aff.Sub.Wit.		
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Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		<p><b>Reviewed by:</b> LEG</p> <p><b>Reviewed on:</b> 1/27/12</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 12 – O'Connor</b></p>

**Bases for Petitioner's request, continued:**

- **Petitioner (Keri O'Connor) also requests that she be authorized to sign the SNT as grantor;** the SNT is intended to be a grantor trust under the Internal Revenue Code (§ 671 et seq.), and the Beneficiary is intended to be treated as owner of the Trust for income tax purposes and to be subject to tax on income received by the Trust;
- **The proposed SNT is to be established pursuant to 42 USC § 1396p(d)(4)(A),** and Aidan meets the federal eligibility requirements in that he is under age 65 years, his Autistic Disorder is of such severity that he cannot engage in any kind of substantial gainful activity, and the proposed SNT provides that on Aidan's death or termination of the trust, Medi-Cal will receive reimbursement for all medical assistance provided to him;
- **The proposed SNT also meets the California Probate Code requirements pursuant to § 3604(b),** providing that the Court must make the following 3 findings before establishing the SNT:
  1. **The minor or person with a disability has a disability that substantially impairs the individual's ability to provide for the individual's own care or custody and constitutes a substantial handicap:** Aidan has a disability that has profoundly impaired his ability to function normally on a daily basis (*please refer to Exhibit A for recent copy of Medical Report of Howard Glidden, Ph.D.*);
  2. **The minor or person with a disability is likely to have special needs that will not be met without the trust:** Without the trust in place, Aidan's special needs, which include intensive therapeutic and professional services, will not be met; Aidan will also require continuous assistance and planning help, including specialized schooling and vocational training beyond those provided by Meci-Cal, if he is to achieve maximum independence and functioning; such services would be characterized as special needs that Medi-Cal either would not pay for or for which only limited Medi-Cal services would be available;
  3. **Money to be paid to the trust does not exceed the amount that appears reasonable necessary to meet the special needs of the minor or personal with a disability:** In view of Aidan's serious disability and lack of other resources to pay for specialized care, the funds that will form the corpus of the trust appear reasonable necessary for Aidan's special needs; the cost of Aidan's future care is greater than the amount of assets being funded to the SNT; after these initial expenditures, Aidan's ongoing needs for attendant care, additional medical services, and other unmet needs during the course of his life will be in excess of the amount being used to fund the SNT.
- **The proposed SNT complies with CA Rule of Court 7.903(c) as follows:**
  1. The trust does not contain a "no-contest" provision;
  2. The trust prohibits modification or revocation without court approval;
  3. The trust clearly identifies the trustee and any other person with authority to direct the trustee to make disbursements;
  4. The trustee's investment powers are requested by Petitioner to be expanded by the Court, for good cause, beyond Probate Code § 2574 (regarding investment powers available to guardians and conservators without court order) such that the Trustee's investment powers include authority to invest trust assets in mutual funds and US Government bonds with maturity dates later than (5) years;
  5. The trust requires the persons identified in #3 to post bond in the amount required under Probate Code § 2320 – 2335;
  6. The trust requires the Trustee to file accounts and reports for Court approval in the manner and frequency required by Probate Code §§ 1060 – 1064 and 2620 and 2628;
  7. The trust requires court approval of changes in trustees and a court order appointing any successor trustee;
  8. The trust requires that compensation of the trustee, the members of any advisory committee, or the attorney for the trustee to be in just and reasonable amounts that must be fixed and allowed by the court;

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**Bases for Petitioner's request, continued:**

- **The proposed SNT meets all requirements of Local Rule 7.19 as follows:**
  1. A copy of the proposed trust instrument is attached to the petition to establish the trust;
  2. The trust complies with CA Rule of Court 7.903 (*see above*);
  3. The trust must require court confirmation of sales of trust real property.
  4. Petitioner requests the Court enter an order that the trust shall be subject to the Court's continuing jurisdiction and shall be subject to periodic accounts as are required in guardianship and conservatorship matters;
  5. The trust prohibits payment of fees to attorneys, trustees, or others without prior court approval.
  
- **Investments:** Petitioner requests that pursuant to CA Rule of Court 7.903(c)(4), for good cause shown, and pursuant to Probate Code § 2574(c), the investment standard set forth in Probate Code § 2574(a) be modified so that the Trustee has the authority to purchase mutual funds and United States government bonds with maturity dates later than 5 years; investment in mutual funds permits investment across several asset classes, subclasses and sectors, while avoiding high transactions costs; because they are highly diversified, mutual funds are inherently less risky than individual securities listed on an established stock or bond exchange, which is a permissible investment allowed by the code without court authorization; the ability to invest in mutual funds will permit the SNT to hold individual securities across several asset classes, while at the same time providing the flexibility to cost-effectively change its investment position in response to shifts in the market; a portfolio that includes US Government bonds with maturity dates later than 5 years will provide better diversification and is expected to receive higher total returns along with the minimal risk associated with such funds.
  
- **Bond:** Petitioner requests bond be fixed at **\$276,110.69** calculated as follows: From the **\$1,300,000.00** settlement, an annuity will be purchased for **\$1,100,000.00**, which will pay **\$3,750.81** per month (**\$45,009.72** annually), payable on a level basis for the Beneficiary's lifetime with a minimum of 30 years guaranteed; the remaining **\$200,000.00** will be deposited into a special needs trust account that will an estimated 3% annual return or **\$6,000.00**; the value of the trust corpus (**\$6,000.00**) plus the probable gross annual income from the annuity (**\$45,009.72**) equals **\$251,009.72**, and after adding the estimated cost of recovery (\$25,100.97), the total bond required is **\$276,110.69**;
  
- **Trustee Fees:** Petitioner requests the initial Trustee be authorized to receive payments of fees each month at the rate of **\$150.00** per hour for services rendered in connection with the administration of the SNT, but not to exceed **\$1,000.00** in any given month, and any excess fees incurred over that amount would require Court approval; (*please refer to Declaration of Bruce D. Bickel in Support of Trustee's Fees filed 12/14/2011, indicating his rate of \$150.00 per hour, with fees not to exceed \$1,000.00 per month; he estimates 4 to 8 hours per month will be required, and any amount exceeding \$1,000.00 will require Court approval; services and activities required to administer the SNT are listed*);
  
- **Attorney Fees:** Petitioner requests the Court approve a flat legal fee in the amount of **\$4,500.00** for providing the services to the Petitioner for establishment of the SNT such as counseling the client, preparing the trust and this petition, and other related services; and requests reimbursement of costs advanced of **\$395.00** for filing fees; Petitioner believes such fees and costs are reasonable and customary in this community and requests the Court approve payment to the attorney for such amounts;
  
- **Petitioner anticipates the Department of Health Care Services will not assert a lien in this case;** in the event the Department of Health does assert a lien, before payment of any funds to the SNT, all statutory liens in favor of DOH, the Department of Mental Health, the Department of Developmental Services and any county or city and county in this State will first be satisfied;

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**Bases for Petitioner's request, continued:**

- Petitioner states that in the event of Aidan's death, and after satisfaction of any government claims, the proposed SNT provides that any remaining trust assets would pass to Aidan's legal heirs.

**Petitioner prays for an Order as follows:**

1. That the Court establish the **AIDAN O'CONNOR SPECIAL NEEDS TRUST**, that the Petitioner is directed to execute it [as Grantor], and the Court has continuing jurisdiction over the SNT;
2. That **BRUCE D. BICKEL** shall serve as the initial Trustee of the SNT with bond fixed at **\$276,110.69**;
3. That Aidan has a disability that substantially impairs his ability to provide for his own care or custody, and constitutes a substantial handicap;
4. That Aidan is likely to have special needs that will not be met without the SNT;
5. That money to be paid to the SNT does not exceed the amount that appears reasonably necessary to meet Aidan's special needs;
6. That payment of all monies due plaintiff in the Litigation Action shall be paid to the Trustee of the SNT after payment of any personal injury Medi-Cal lien;
7. That any proceeds of the settlement award received by Plaintiff's attorney before the hearing of this petition and deposited in the attorney's client trust account shall not be considered received by Aidan for public benefit eligibility purposes;
8. That the assets of the SNT estate are unavailable to Aidan and shall not constitute a resource to Aidan for Aidan's financial eligibility for Medi-Cal, SSI, regional center assistance, or any other program for public benefits;
9. That the Trustee provide the Court with a biennial account and report of the SNT, beginning with the period 1 year after the Court approves the establishment of the trust and every 2 years thereafter;
10. That the Trustee is authorized to receive payments for fees each month at the rate of **\$150.00** per hour for services rendered in connection with the administration of the Trust, but not exceed **\$1,000.00** in any given month; and that reimbursement for any fees in excess of **\$1,000.00** in any given month requires prior approval of the Court; and
11. That the Court approve and direct the payment of **\$4,500.00** to the law firm of Dowling, Aaron & Keeler and reimbursement for costs advanced in the amount of **\$395.00** for legal services in connection with this *Petition*.

<b>DOD: 8/25/07</b>		<p><b>MARIA KAPSSOF</b> is Executor.</p> <p>On 9/24/09 the court approved the first account with the account period ending on 6/30/2009. The ending property on hand was <b>\$313,645.79</b>.</p> <p><b>Minute order dated 9/24/09</b> set this status hearing for the status of the petition to close the estate.</p> <p><b>Status Statement filed on 11/28/11</b> states the personal representative accepted an offer on the property and her attorney mailed a Notice of Proposed Action to the appropriate parties. One of the beneficiaries objected to the sale. Therefore, the personal representative will need to file a petition with the court to confirm the sale. Accordingly, a 90 day continuance is requested.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>1. Need current status report or Petition for Final Distribution.</b></p> <p><u>Note:</u> Order Confirming Sale of Real Property was signed on 12/16/2011.</p>
<b>Cont. from: 051310, 111810, 012011, 042111, 082311, 110111</b>			
<b>Aff.Sub.Wit.</b>			
<b>Verified</b>			
<b>Inventory</b>			
<b>PTC</b>			
<b>Not.Cred.</b>			
<b>Notice of Hrg</b>			
<b>Aff.Mail</b>			
<b>Aff.Pub.</b>			
<b>Sp.Ntc.</b>			
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<b>Conf. Screen</b>			
<b>Letters</b>			
<b>Duties/Supp</b>			
<b>Objections</b>			
<b>Video Receipt</b>			
<b>CI Report</b>			
<b>9202</b>			
<b>Order</b>			
<b>Aff. Posting</b>			
<b>Status Rpt</b>			
<b>UCCJEA</b>			
<b>Citation</b>			
<b>FTB Notice</b>			
		<p><b>Reviewed by: KT</b></p>	
		<p><b>Reviewed on: 1/23/12</b></p>	
		<p><b>Updates:</b></p>	
		<p><b>Recommendation:</b></p>	
		<p><b>File 13 - Ledaiev</b></p>	

Application for Order Terminating and Dismissing Proceedings for Lack of Prerty Subject to Administration.

<b>DOD: 2/10/07</b>	<b>SAM ANDO</b> , Executor, is petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Need <i>Notice of Hearing</i> .  2. Need proof of service of the <i>Notice of Hearing</i> on: a. Janet K. Ando (daughter) b. Clarice M. Ando (daughter)  3. Need Order	
Cont. from 092811, 110211, 010312	<b>SAM ANDO</b> was appointed Executor of the estate will full IAEA and without bond on 4/19/2009.		
Aff.Sub.Wit.	<b>Petitioner states</b> investigation by his new attorney has disclosed that it appears that all assets of the decedent were either joint tenancy property or assets of the living trust he established with his predeceased wife.  <b>Petitioner requests</b> the Court order the proceedings terminated and dismiss the matter due to lack of property subject to probate.		
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Notice of Hrg			X
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Duties/Supp			
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Order			X
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FTB Notice			
		Reviewed by: KT	
		Reviewed on: 1/23/12	
		Updates:	
		Recommendation:	
		File 14 - Ando	

**15 Hudson Testamentary Trust dated 11-17-86 (Trust) Case No. 11CEPR00118**

**Atty Kruthers, Heather H (for Public Guardian current Trustee)**

**Atty Durost, Linda K. (for Phillip Hudson and Debra Hudson former Trustees)**

**Status Hearing Re: Filing Accounting From Former Co-Trustees**

	<p><b>PHILLIP HUDSON and DEBRA HUDSON</b> were acting Successor Co-Trustees of the <b>HUDSON TESTAMENTARY TRUST</b> dated <b>11/17/1986</b> as of <b>10/19/2004</b>.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>1. Need accounting from former Co-Trustees, Phillip Hudson and Debra Hudson, per Court order dated 4/5/2011.</b></p> <p><b>Note: Substitution of Attorney was filed on 10/26/2011 for both Phillip Hudson and Debra Hudson indicating they are now represented by Attorney Linda Durost.</b></p>
<b>Cont. from</b>	<p><b>PALM VILLAGE RETIREMENT COMMUNITY</b> had petitioned for the <b>PUBLIC GUARDIAN</b> to be appointed as Conservator of the Person and Estate of <b>MARJORIE C. HUDSON</b>, Trust beneficiary who resided in that facility, in Case No. 09CEPR01011. <b>Minute Order dated 2/9/2010</b> which appoints the Public Guardian as Conservator states: "All powers of attorney and any other powers to act as trustee are revoked forthwith.... Nobody other than the Public Guardian is to do anything with any assets of any form."</p>	
<b>Aff.Sub.Wit.</b>		
<b>Verified</b>		
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<b>PTC</b>		
<b>Not.Cred.</b>		
<b>Notice of Hrg</b>		
<b>Aff.Mail</b>		
<b>Aff.Pub.</b>	<p><b>PUBLIC GUARDIAN</b> filed on <b>2/17/2011</b> a petition for appointment as successor trustee of the Hudson Testamentary Trust. <b>Order Appointing Public Guardian as Successor Trustee and Compelling Former Co-Trustees to Account signed on 4/5/2011</b> finds that Phillip Hudson and Debra Hudson are ordered to account to this Court and the Public Guardian for all Trust activity from the date of their appointment, but no later than from 10/19/2004, and the accounting is to be filed by <u>7/12/2011</u>.</p>	
<b>Sp.Ntc.</b>		
<b>Pers.Serv.</b>		
<b>Conf. Screen</b>		
<b>Letters</b>		
<b>Duties/Supp</b>		
<b>Objections</b>		
<b>Video Receipt</b>	<p><b>Minute Order dated 7/12/2011</b> from the hearing set for the accounting from the former Co-Trustees states Counsel [Heather Kruthers] advises the Court that Ms. Hudson contacted her and informed her that she needed more time to prepare the accounting. The Court continued the matter to <u>9/20/2011</u>.</p>	
<b>CI Report</b>		
<b>9202</b>		
<b>Order</b>		
<b>Aff. Posting</b>		
<b>Status Rpt</b>	<p><b>Minute Order dated 9/20/2011</b> from the continued status hearing for the former Co-Trustees' accounting states Ms. Kruthers advises the Court that the Public Guardian has had no communication with Debra Hudson and Phillip Hudson. The Court set the matter for an Order to Show Cause on 11/1/2011. The Court ordered Debra Hudson and Phillip Hudson to be present on 11/1/2011 with or without an accounting. The Court further ordered that Debra Hudson and Phillip Hudson turn over all documents related to the Trust to the Public Guardian.</p>	
<b>UCCJEA</b>		
<b>Citation</b>		
<b>FTB Notice</b>	<p><b>Minute Order dated 11/1/11</b> states Counsel requested a <b>60 day continuance. The matter was continued to 1/31/12.</b></p>	
		<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 1/24/12</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 15 - Hudson</b></p>

**16 George & Julia Hagopian Living Trust 3-7-1991 Case No. 11CEPR00815**

**Atty Melvin K. Rube (for Lisa Nesgis – Trustee – Petitioner)**  
**Atty Steven L. Shahbazian and Gary Bagdasarian (for Georgette Karabian – Beneficiary – Objector)**

**Status Hearing Re: First Account and Report of Trustee and Petition for Its Settlement [Prob. C. 16062(a), 6063 & 17200(b)(5)]**

George Hagopian DOD: 11-25-07	LISA NESGIS, Trustee, filed a First Account and Report of Trustee and Petition for its Settlement on 9-9-11 that was set for hearing on 11-1-11.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
Julia Hagopian DOD: 5-12-10		
	On 10-27-11, Beneficiary <b>GEORGETTE KARABIAN</b> filed Objections and Request for Judicial Notice of the records, documents and pleadings in 11CEPR00181.	<u>Note:</u> 11CEPR00181 was opened on 3-7-11 when Beneficiary Georgette Karabian (Objector herein) filed a Petition to Compel Trustee to Account for a specific time period (4-24-04 through 5-12-10).
Set on 11-1-11		
Aff.Sub.Wit.	At hearing on 11-1-11, the Court set the matter on this date (1-31-12) for status.	Trustee Lisa Nesgis objected in that case (11CEPR00181); however, then opened this case (11CEPR00815) with an accounting for a different time period (5-12-10 through 7-31-11).
Verified		
Inventory		<u>Minute Order 11-1-11:</u> Matter set for Status Conference on 1-31-12.
PTC		
Not.Cred.		<u>At this time,</u> need status of the parties' negotiations.
Notice of Hrg		
Aff.Mail		<u>If the accounting matter is to go forward as filed, the petition should be re-set on the record and re-noticed as necessary.</u>
Aff.Pub.		
Sp.Ntc.		Reviewed by: skc
Pers.Serv.		Reviewed on: 1-25-12
Conf. Screen		Updates:
Letters		Recommendation:
Duties/Supp		File 10 - Hagopian
Objections		
Video Receipt		
CI Report		
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Order		
Aff. Posting		
Status Rpt	X	
UCCJEA		
Citation		
FTB Notice		

Pro Per Baker, Jeanine (Pro Per Petitioner, mother)  
 Pro Per Baker, Douglas (Pro Per Objector, Co-Guardian)  
 Pro Per Baker, Elida (Pro Per Objector, Co-Guardian)

Petition for Termination of Guardianship

Age: 7 years	<p><b>JEANINE BAKER</b>, mother, is Petitioner.</p> <p><b>DOUGLAS BAKER and ELIDA BAKER</b>, maternal grandparents, were appointed Guardians on 7/14/2005.</p> <p><i>Co-Guardians consent to termination and waive notice.</i></p> <p>Father: <b>STEWART MICHAEL HAMBY</b>; <i>Declaration of Due Diligence filed 10/20/2011; incarcerated per Minute Order dated 10/25/2011; personally served 11/22/2011;</i></p> <p>Paternal grandfather: Stewart Hamby, Sr.; <i>sent notice by mail on 10/11/2011;</i></p> <p>Paternal grandmother: Cindy Bruer; <i>sent notice by mail on 10/11/2011;</i></p> <p><b>Petitioner states</b> she would like her son back so he can attend school with his brother and sister.</p> <p><u><b>Court Investigator Charlotte Bien's Report was filed on 10/4/2011.</b></u></p> <p><u><b>Court Investigator Charlotte Bien's Supplemental Report was filed on 12/5/2011.</b></u></p> <p style="text-align: center;"><i>~Please see additional page~</i></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Continued from 12/13/2011.</u> <i>Minute Order</i> states Court orders visitation with mother be 1 day a week and may increase depending on Trenton's acceptance. The Court further orders Mr. and Mrs. Baker to sign up for counseling with the County. In addition, Trenton is to remain in counseling with Ms. Heppner for a minimum of 2 months. Court further orders Jeanine to meet with Ms. Heppner. There is to be no smoking or drug use around any of the children.</p>	
DOB: 10/23/2004			
Cont. from 102511, 121311			
Aff.Sub.Wit.			
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UCCJEA			
Citation			
FTB Notice			
		Reviewed by: LEG	
		Reviewed on: 1/23/12	
		Updates: 1/26/12	
		Recommendation:	
		File 17 - Hamby	

***Objection to Termination of Guardianship*** filed on 10/26/2011 by Douglas Baker and Elida Baker, Co-Guardians and maternal grandparents, states:

- At the Court hearing on 10/25/2011 it was revealed that their daughter (child's mother), Jeanine Baker, has a medical marijuana card;
- If they had known about the marijuana card, they would not have placed Trenton in her care;
- Both the mother and her husband, Shadden Crisp, have medical marijuana cards;
- With Jeanine being a former meth addict and now in possession of a medical marijuana card, it is only a matter of time before she starts using illegal drugs;
- They object in the strongest possible manner to the termination of their guardianship of Trenton;
- Recent events have shown that the mother is not ready to care for Trenton.

***Declaration*** filed on 10/28/2011 by Douglas Baker and Elida Baker contains an attached handwritten document entitled "Agreement for Visitation – Trenton Hamby" signed on 10/10/2009 by Elida Baker and Jeanine Baker, stating in sum that it is an agreement for overnight visitation for Trenton to spend the night with his parents at Doug and Elida's discretion, starting with one night a month on a trial basis for 3 to 4 months, and if Doug and Elida notice anything out of the ordinary they may rescind the agreement; if everything goes well in 4 months (February 2010), they will extend the visitation to a full weekend a month, working up to more frequent visitation.

***Ex Parte Petition for Visitation*** was filed on 11/8/2022 by Jeanine Baker, mother. (*Order on Ex Parte Petition* signed 11/10/2011 set the hearing for 12/13/2011.) Petitioner states:

- Doug and Elida Baker took Trenton from her care on 10/27/2011 without communicating with her at all; then on 10/31/2011, they dropped him from Fresno Unified and enrolled him into Sierra Unified;
- Doug and Elida have cut off all contact since the morning of 10/27/2011;
- She is very concerned with Trenton's emotional state at this time because of the erratic behavior involving Doug and Elida;
- She asks if the Court could grant visitation [between the present and the Court date of 12/13/2011] because she does not feel that her parents are acting in the best interest of her son any longer.

***Declaration*** filed on 10/28/2011 by Douglas Baker and Elida Baker describes reasons to keep Trenton in their care:

1. On 10/21/2011, they were asked to pick up all three kids [Trenton and the mother's two twin girls] for the weekend and return them on Sunday, 10/23/2011, at noon for Trenton's birthday party;
  - They arrived at 6:00 p.m. [to pick up the kids] and Mackenzie [one of the twins] was throwing up and complaining of a headache;
  - They told Jeanine to take her to Valley Children's Hospital as this was a sign of her stunt not working properly (she knows the medical symptoms); Mackenzie refused to come with us as she just wanted to lie down;
  - They asked Jeanine several times to take Mackenzie to the emergency room; she blew up and said: "I have to work tomorrow and Sunday is Trenton's birthday party. She will have to wait until Monday."
  - The next day, Saturday 10/22/2011, while Jeanine was at work, Mackenzie's step-father and his mother took Mackenzie to Valley Children's where she was admitted and placed on morphine; on Monday 10/24/2011, she was operated on to replace her clogged shunt.
2. Jeanine's statement in Court on 10/25/2011 that she had a marijuana card.

*~Please see additional page~*

*Declaration* filed on 12/5/2011 by Douglas Baker and Elida Baker contains a letter from Trenton's teacher at Foothill Elementary School, Candice Corn, stating:

- She is Trenton's First Grade teacher and when Trenton arrived in their class, his peers were happy and excited to see his return;
- Trenton has a happy demeanor; he seems to like school; throughout the day he laughs a lot and is always involved with class discussions;
- At the end of the school day when he is picked up, he always seems thrilled to see his grandmother and grandfather, who she has learned Trenton calls "mom" and "dad" because he has lived with them from a very early age;
- Trenton's grandparents have been concerned about his happiness and well-being; they often check on his progress and behavior in class; he is a very bright boy but has difficulty keeping focused and completing work;
- Trenton has had excellent attendance, is never tardy, and comes to class nicely groomed with homework complete; they are making his education a priority and helping him become a responsible student; I am very glad that his grandparents are also following through with attention issues that his mother had noticed;
- I would like the Court to know that I have witnessed a very happy boy at school; he is doing well academically because of the support he is getting at home; he is a confident student and is making progress in all areas; this shows that he must be in an emotionally stable environment.

*Declaration* filed on 12/8/2011 by Petitioner Jeanine Baker, mother, contains the following attached documents:

- Signed letter from the Fresno County Probation Department dated 12/5/2011 stating that on 1/3/2008, Jeanine Baker was granted a 2-year misdemeanor probationary term [under case number for cited violation, which is not identified by type of violation]; Jeanine Baker's probation was terminated and case dismissed on 7/27/2010; per Probation records, she substantially complied with the terms and conditions of her probation.
- Signed letter from WestCare indicating that Jeanine Baker successfully completed an outpatient program at WestCare from 12/4/2008 – 3/5/2009.
- Green Doctor Evaluations Physician Statement signed by Anisha Patel, D.O., indicating the Physician Statement and Recommendation issued from 4/7/2011 and valid through 4/6/2012 affirms that Jeanine Baker has been examined and evaluated by the physician and that it is their assessment that the patient qualifies under CA Health & Safety Code § 11362.5 for the use of cannabis for medical purposes.
- Green Doctor Evaluations Physician Statement signed by Anisha Patel, D.O., indicating the Physician Statement and Recommendation issued from 1/26/2011 and valid through 1/25/2012 affirms that Shadden Crisp has been examined and evaluated by the physician and that it is their assessment that the patient qualifies under CA Health & Safety Code § 11362.5 for the use of cannabis for medical purposes.
- Copies of Green Doctor Evaluations medical marijuana cards and CA Driver Licenses of Jeanine Baker and Shadden Crisp, step-father.

*~Please see additional page~*

*Declaration* filed on 12/12/2011 by Douglas Baker and Elida Baker contains an attached letter written by Pearl Heppner, LMFT, from Link Care Center dated 12/12/2011 stating:

- She writes this letter regarding Trenton Hamby, and she is a licensed Marriage and Family therapist who has provided five psychotherapy sessions for Trenton since 11/14/2011;
- In her work with Trenton it is apparent that he is thriving while in the care of his maternal grandparents, Mr. and Mrs. Baker;
- He is a very happy, energetic boy who has been very open regarding his feelings about his wellbeing and where he feels safe and would choose to live;
- As Trenton's therapist, it is her clinical recommendation that Trenton remain in the sole custody of his grandparents, Elida and Doug Baker;
- It is also her clinical recommendation that Trenton have visitation with his siblings at his grandparents' home as well as supervised visits with his biological mother and stepfather at Mr. and Mrs. Baker's home;
- Mr. and Mrs. Baker appear to be equipped to supervise these visits between Trenton and his biological mother and stepfather;
- As per Court request, I am in the process of completing an assessment for ADHD for Trenton; I have received all pertinent information for assessment and will be completing this assessment along with my written report this week.

*Declaration* filed 1/25/2012 by Co-Petitioners Douglas Baker and Elida Baker contains a typewritten note describing: the mother's history of alcoholism beginning at age 12, with attached literature regarding the increased negative effects of alcohol on teen brains; the mother's current financial circumstances consisting of being supported by her daughter's Social Security; and the mother's neglecting to seek necessary surgery for one of her children.

Atty Kesterson, Kenneth Kern (pro per – maternal great-grandfather/Guardian)

Atty Kesterson, Carolyn Ann (pro per – maternal great-grandmother/Guardian)

Atty Lirette, Nathan (pro per – father)

Further Status Conference

Lily, 6 DOB: 12/22/05	<b>KENNETH KESTERSON</b> and <b>CAROLYN KESTERSON</b> , maternal great-grandparents, were appointed guardians on 7/12/10.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
Stone, 2 DOB: 8/15/09	Mother: <b>MIKAELA MENNUCCI</b> Father: <b>NATHAN LIRETTE</b>	<p><b>CONTINUED FROM 11/29/11</b>                  Minute order from 11/29/11 hearing states: Also present in the courtroom is Mikaela Mennucci, Eleanor Lirette, and Natalie Kjar. Carolyn Kesterson informs the Court that they have all stopped going to therapy. The Court orders that all parties enroll and participate in therapy. The Court further orders that Court staff contact Dr. Griffith regarding a follow-up report that addresses the suitability for further visits of the children. The Court on its own motion sets the matter for further status on 01/31/12. All prior orders remain in full force and effect.</p>
Cont. from 112911	Paternal grandfather: UNKNOWN Paternal grandmother: ELEANOR LIRETTE Maternal grandfather: LAWRENCE MENNUCCI Maternal grandmother: NATALIE KJAR	
Aff.Sub.Wit.	<b>Father, Nathan Lirette, filed a Petition for Visitation on 10/10/10.</b>	
Verified	<b>Minute order from hearing on 12/06/10</b> granted visitation to the father, to be agreed upon between the parties and continued the matter to 01/03/11.	
Inventory	<b>Minute order from hearing in 01/03/11</b> ordered supervised visitation to father, Nathan Lirette, and set the matter for a status hearing on 04/06/11.	
PTC	<b>Minute Order from 04/06/11 hearing</b> extended the father’s Visitation and indicates that the court will address the father’s request for overnight visitation at the next hearing. Status hearing set for 06/28/11.	
Not.Cred.	<b>Minute order from 06/28/11 hearing</b> discussed Lily’s ongoing therapy with Dr. Griffith and Lily’s night terrors. The Court Lily to have a full evaluation and to obtain a doctor’s opinion regarding any potential detriment with regards to overnight visits. Visitation to remain as previously ordered and the matter was continued to 08/23/11.	
Notice of Hrg	<b>Confidential report of Lois K. Griffith, therapist filed 08/17/11</b>	
Aff.Mail	<b>Minute Order from Hearing on 08/23/11 states:</b> Also present in the courtroom are: Natalie Kjar and Eleanor Lirette. The Court modifies the visitation order to reflect that father, Nathan Lirette, will have weekend visitation every other weekend from Friday at 2:30 pm to Saturday at 7:30 pm. Father will pick up Lily after school and pick up Stone. The Court further orders that on the weekends the father does not have visitation, he will have a Tuesday visit from 2:30pm to 7:30pm. The Court orders that all parties enroll in and participate in therapy as suggested by Dr. Griffith as set forth in her report. Father and mother are to participate in 12 bi-weekly sessions. The minute ordered also set this status hearing on 11/29/11.	
Aff.Pub.	<b>Continued on Page 2</b>	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: JF
		Reviewed on: 01/24/12
		Updates:
		Recommendation:
		File 18 - Uhrich

**Declaration of Kenneth & Carolyn Kesterson filed 01/24/12** states that they would like the current visitation schedule with the children's father, Nathan Lirette, to continue as currently ordered through the school year. The Kestersons state that they will be amenable to daytime visitation during the summer, but request that the overnight visits remain at 1 night as they feel Nathan is too young for two overnights away from home. The Kestersons further report that the children's mother, Mikaela Mennucci has started working and is paying child support, they report that Nathan Lirette is also working, but he has not paid child support. With regard to the Court ordered therapy, the Kestersons state that the two sessions they had with Dr. Griffin did not go well and they believed the father, Nathan Lirette, wanted no further meetings. They state they were shocked to learn that Mr. Lirette had continued seeing Dr. Griffin and recently Dr. Griffin asked them about a combined session with Mr. Lirette and Lily. They state that they have not heard back about this combined session. The Kestersons report that the children are doing well and that Lily was placed in the 1<sup>st</sup> grade; Stone seems to be adjusting to the visitation with his father, but it has been a slow process.

Age: 1 year	<p><b>DENISE SIFUENTES</b>, maternal grandmother and <b>MATTHEW SIFUENTES</b>, maternal step-grandfather, are petitioners.</p> <p>Petitioners were appointed guardians on 11/29/2011.</p> <p>Father: <b>UNKNOWN (Benny Mendoza)</b> per minute order dated 11/29/11).</p> <p>Mother: <b>GINA SCHULTZ</b> – <i>consents and waives notice.</i></p> <p>Paternal grandparents: not listed Maternal grandfather: not listed (Alberto Chavez per Petition for Appointment of Guardian)</p> <p><b>Petitioner states</b> her husband has abandoned her without paying any bills, knowing she is sick and need chemotherapy. Petitioner states she has nowhere to go in Fresno. Her family is in Arizona and they are taking her family in.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need <i>Notice of Hearing</i>.</li> <li>2. Need proof of service of the <i>Notice of Hearing</i> on:                     <ol style="list-style-type: none"> <li>a. Benny Mendoza (father)</li> <li>b. Paternal grandparents</li> <li>c. Alberto Chavez (maternal grandfather)</li> </ol> </li> </ol>	
DOB: 6/16/2010			
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			X
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Aff.Pub.			
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Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 1/24/12	
		Updates:	
		Recommendation:	
		File 19 - Schultz	

**Petition for Appointment of Temporary Guardianship of the Person**

Age: 2 years DOB: 2/6/2009	<p><b>TEMPORARY GRANTED EX PARTE</b> by Judge Hillary Chittick on 1/18/2012.</p> <p><u><b>TEMPORARY EXPIRES 1/31/2012</b></u></p> <p><u><b>GENERAL HEARING 3/19/2012</b></u></p> <p><b>JOSE CAMERENA</b>, cousin, and <b>ERICA CAMERENA</b>, cousin, are petitioners.</p> <p>Father: <b>RALPH JASSO</b> – <i>Declaration of Due Diligence filed on 1/24/12.</i></p> <p>Mother: <b>MARCIE VERDUZCO</b> – <i>Declaration of Due Diligence filed on 1/24/12.</i></p> <p>Paternal grandfather: Juan Jasso          Paternal grandmother: Mary Jasso          Maternal grandparents: unknown – <i>Declaration of Due Diligence filed on 1/17/12.</i></p> <p><b>Petitioners state</b> the minor has been in their care since he was six weeks old. On or about 1/7/12 Petitioner sent the natural parents a letter informing them of their intent to obtain guardianship of the minor. On 1/15/12 the father, Ralph Jasso attempted to take the minor. The police were called and it was determined that it was in the best interest of the minor to remain with the Petitioners. A temporary guardianship is necessary to prevent the minor father from trying to take the minor pending the hearing on the general petition. It would be traumatic to the minor and detrimental to his health and safety should the father attempt to take him again.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p>1. Need proof of personal service of the <i>Notice of Hearing</i> along with a copy of the <i>Temporary Petition</i> or <i>Consent and Waiver of Notice</i> or <i>Declaration of Due diligence</i> on:</p> <p>a. <b>Ralph Jasso (father)</b> – <i>Unless court dispenses with notice.</i></p> <p>b. <b>Marcie Verduzco (mother)</b> – <i>Unless court dispenses with notice.</i></p>	
Cont. from			
Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
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PTC			
Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			X
<input checked="" type="checkbox"/> Conf. Screen			
<input checked="" type="checkbox"/> Letters			
<input checked="" type="checkbox"/> Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
<input checked="" type="checkbox"/> Order			
Aff. Posting			
Status Rpt			
<input checked="" type="checkbox"/> UCCJEA			
Citation			
FTB Notice			

Reviewed by: KT  
 Reviewed on: 1/24/2012  
 Updates: 1/25/12  
 Recommendation:

File 20 - Jasso

Petition for Appointment of Temporary Guardianship of the Person

Age: 3 years DOB: 1/20/2009	<p>TEMPORARY GRANTED EX PARTE by Judge Hillary Chittick on 1/18/2012.</p> <p><u>TEMPORARY EXPIRES 1/31/2012</u></p> <p><u>GENERAL HEARING 3/19/2012</u></p> <p><b>JAVIER CRUZ</b>, non-relative, is petitioner.</p> <p>Father: <b>GERALDO GUILPA</b> – Petitioner requests the court dispense with notice to the father.</p> <p>Mother: <b>ERICA SOLIS</b>- Petitioner requests the court dispense with notice.</p> <p>Paternal grandparents: unknown          Maternal grandfather: Javier Solis – Declaration of Due Diligence filed on 1/17/2012.          Maternal grandmother: Maryanne Parks</p> <p><b>Petitioner states</b> the child’s father is in prison serving a 95 year to life term, he nor his family have never been a part of the child’s life. The mother of the child left the child in Petitioner’s care when she was 3 months old. The mother is now threatening to remove the child from the proposed guardian. Mother is a known meth user and does not have a stable home.</p>	NEEDS/PROBLEMS/COMMENTS:	
		2. Need <i>Notice of Hearing</i> .	
		3. Need proof of personal service of the <i>Notice of Hearing</i> along with a copy of the <i>Temporary Petition or Consent and Waiver of Notice or Declaration of Due diligence</i> on:	
		c. <b>Geraldo Guilpa (father)</b> – if court does not dispense with notice. Petitioner states the father is serving a life term in prison and therefore giving notice to him serves no judicial purpose.	
		d. <b>Erica Solis (mother)</b> - if court does not dispense with notice. Petitioner fears if mom is given notice she will pick up the child and flee.	
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Aff.Sub.Wit.			
✓ Verified			
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PTC			
Not.Cred.			
Notice of Hrg		X	
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.		X	
✓ Conf. Screen			
✓ Letters			
✓ Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
✓ UCCJEA			
Citation			
FTB Notice			
		Reviewed by: KT	
		Reviewed on: 1/24/12	
		Updates:	
		Recommendation:	
		File 21 - Solis	