

Atty O'Neill, Patricia B., sole practitioner (for Petitioner Bernice Arrendondo Capuchino)

Petition for Termination of Guardianship of the Estate

Age: 17 years		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>CONTINUED TO 5/19/2014 Per Attorney Request</p> <p>Note: It appears this <i>Petition for Termination of Guardianship of the Estate</i> is premature based upon the fact that the minor will not reach the age of majority until 5/17/2014. If Court approves the <i>Petition</i> at the hearing on 3/19/2014, the Court's order will violate Probate Code § 1600(a), which provides that a guardianship of the person or estate or both terminates when the ward attains majority. Continuance to a date immediately following 5/17/2014 is required pursuant to Probate Code § 1600.</p>
DOB: 5/17/1996		
Cont. from		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
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: LEG
		Reviewed on: 3/13/14
		Updates: 3/14/15
		Recommendation:
		File 1 - Rodriguez

Atty Amador, Catherine A., of Pascuzzi, Moore & Stoker (for Petitioners Manuel Chavez and Susan Chavez-Leon, Co-Conservators)

(1) First Account and Report of Conservator; and (2) Petition for Allowance of Fees to Attorney for Conservator

Age: 41 years	MANUEL CHAVEZ , father, and SUSAN CHAVEZ-LEON , sister, Co-Conservators of the Person and Estate, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
		OFF CALENDAR
Cont. from 21914	Account period: 12/19/2012 - 11/30/2013	Amended First Account, etc. was filed 3/7/2014, and is set for hearing on 4/15/2014
<input type="checkbox"/> Aff.Sub.Wit.	Accounting - \$309,801.00	<ol style="list-style-type: none"> Petition is signed but not verified by the Petitioners pursuant to Probate Code § 1021 and CA Rule of Court 7.103. Account statements were not filed confidentially in a separate affidavit in accordance with Probate Code § 2620(c)(7). (Note: This issue is raised for future reference of the attorney.) Summary of Account states the property on hand at the beginning of the account period is \$234,616.00. However, beginning property on hand should be the same amount as the value stated on the <i>Final Inventory and Appraisal</i> filed 3/7/2013 stated as \$293,128.00. Need clarification. ~Please see additional page~
<input type="checkbox"/> Verified X	Beginning POH - \$	
<input checked="" type="checkbox"/> Inventory	Ending POH - \$230,127.00 (\$8,127.00 is cash)	
<input type="checkbox"/> PTC	Conservator - not requested	
<input type="checkbox"/> Not.Cred.	Attorney - \$6,625.00 (per declaration and itemization, for 25.00 hours (reduced from 36.90 hours) @ \$265.00 per hour;)	
<input checked="" type="checkbox"/> Notice of Hrg	Costs - \$1,035.00 (filing fees, process service fee; certified copies)	
<input checked="" type="checkbox"/> Aff.Mail W/	Bond - \$201,850.00 (sufficient)	
<input type="checkbox"/> Aff.Pub.	Petitioner prays for an order:	
<input type="checkbox"/> Sp.Ntc.	1. Approving, allowing, and settling the [First] Account and acts of Co-Conservators; and	
<input type="checkbox"/> Pers.Serv.	2. Authorizing the Attorney fees and costs advanced to the Conservatorship during the accounting period; and	
<input type="checkbox"/> Conf. Screen	3. Finding that the Conservatee is not able to complete an affidavit of voter registration and is not entitled to vote.	
<input type="checkbox"/> Letters	Court Investigator Charlotte Bien's Report was filed 9/10/2013.	
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input checked="" type="checkbox"/> 2620		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LEG
		Reviewed on: 3/13/14
		Updates:
		Recommendation:
		File 2 - Chavez

NEEDS/PROBLEMS/COMMENTS, continued:

4. Petition does not indicate whether the Co-Conservators are waiving any compensation for their services to the Conservatorship estate.
5. *Schedule C, Disbursements*, contains entry on 6/15/2013 for attorney's fees of **\$5,971.00** to Lance Armo for costs of suit against **HOLLY BILLINGS** for default on loan. Court may require further information regarding the nature and character of the loan, and justification for these attorney's fees having been paid from the Conservatorship estate in contravention of Probate Code § 2647, which provides that no attorney fees may be paid from the estate of the Conservatee without prior Court order. The estate of the Conservatee is not obligated to pay attorney fees established by any engagement agreement or other contract until it has been approved by the Court. *[Note: Schedule A, Receipts shows entry dated 6/15/2013 for receipt of \$9,168.00 in proceeds from collection of judgment against Holly Billings for loan default, resulting in receipt of \$3,197.00.]*
6. Paragraph 1 of proposed order states in incorrect amounts of total property on hand and cash balance remaining in the Conservatorship estate. *[Note: Proposed order has been interlineated to indicate the correct amounts as stated in the Petition.]*

Note: Court will set status hearing as follows:

- **Friday, January 23, 2015 at 9:00 a.m. in Dept. 303** for the next accounting.

Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required.

Dept. 303, 9:00 a.m. Wednesday, March 19, 2014

(1) First and Final Account and Report of Executor and (2) and Petition for Final Distribution, and (3) Allowance of Statutory Executor's Commissions, Statutory Attorney's Fees and Extraordinary Attorney's Fees

DOD: 05/27/12	JIM KOBZEFF , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 03/15/13 - ???	Need Amended First and Final Account based on the following:
Cont. from	Accounting - \$209,777.85	1. The accounting period end date is not stated in the petition.
Aff.Sub.Wit.	Beginning POH - \$162,721.19	2. The accounting does not appear to be correct and needs amendment/clarification as follows:
<input checked="" type="checkbox"/> Verified	Ending POH - \$25,821.74	a. The accounting states that the final I & A (first item under "charges") was \$150,000.00; however the final I & A filed 01/26/13 stated the value of the estate was \$162,000. The Petition mentions a corrected I & A, however, no corrected I & A was filed. If the items were sold for less than their appraised value, this should be addressed as a loss to the estate.
<input checked="" type="checkbox"/> Inventory	Executor - \$7,187.60	b. Need more information re: "Principal Income" listed under "credits" in the accounting. This appears to be the sale price for the real property asset of the estate. It is unclear why this is a line item.
<input checked="" type="checkbox"/> PTC	(statutory?)	3. Because of the questions related to the accounting, the Examiner is unable to confirm the statutory fees and ultimate distribution to each beneficiary. Need amended accounting.
<input checked="" type="checkbox"/> Not.Cred.	Attorney - \$7,187.60	4. The petition does not address notice to the Victim's Compensation Board and Franchise Tax Board as required under Probate Code § 9202(b) and (c). A blanket statement regarding notice under 9202 is insufficient.
<input checked="" type="checkbox"/> Notice of Hrg	(statutory?)	
<input checked="" type="checkbox"/> Aff.Mail w/	Attorney x/o - \$2,655.00	
Aff.Pub.	(for 10 hours @ \$250/hr and 1 hr @ \$30/hr related to the sale of real property)	
Sp.Ntc.	Costs - \$1,045.00	
Pers.Serv.	(Filing fees, publication, certified copies, title report)	
Conf. Screen	Closing - \$2,000.00	
Letters 02/11/13	Distribution, pursuant to decedent's will, is to:	
Duties/Supp	Elaine J. Nazaroff - \$955.10	
Objections	Jim Kobzeff - \$955.10	
Video Receipt	Barbara Ann Morozof- \$955.10	
CI Report	Jo Ann Haproff - \$955.10	
9202 x	Jeanette Papov - \$955.10	
<input checked="" type="checkbox"/> Order	Sharon Popoff - \$955.10	
Aff. Posting		Reviewed by: JF
Status Rpt		Reviewed on: 03/13/14
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice x		File 3 - Popoff

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

DOD: 12/19/12	PAT HERNANDEZ , sister, is petitioner and requests appointment as Successor Administrator with full IAEA and with bond set at \$357,000.00.	NEEDS/PROBLEMS/COMMENTS: 1. Based on the inventories and appraisals filed in this estate bond should be set at \$397,000.00. 2. Notice to Loretta O'Casey was sent "in care of" Daniel McCloskey. California Rules of Court, Rule 7.51 requires direct notice. 3. Need proof of service of the Notice of Hearing along with a copy of the Petition on Daniel McCloskey, pursuant to his request for Special Notice. <u>Note:</u> If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> Friday, April 18, 2014 at 9:00 a.m. in Department 303, for the filing of the bond. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required. <u>Note:</u> A status hearing for the filing of the first account or petition for final distribution has already been scheduled for 4/18/14.
Cont. from	MANUEL ROJAS was appointed as Administrator with full IAEA authority and without bond on 2/14/13.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory	Amended Order filed on 7/23/13 required bond of \$315,000.00.	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Order filed on 8/16/13 ordered the bond increased to \$400,000.00.	
<input checked="" type="checkbox"/> Aff.Mail	W/ Inventories and appraisals filed to date total \$396,629.05.	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	MANUEL ROJAS died on 12/8/13 leaving a vacancy in the office of personal representative.	
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
Reviewed by: KT		
Reviewed on: 3/14/14		
Updates:		
Recommendation:		
File 4 - Sanchez		

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 06/30/2011	RICARDO GARCIA , brother and requests appointment as Administrator with bond.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 02/26/2014</p> <p>The Following issues remain:</p> <ol style="list-style-type: none"> 1. Need wavier of bond from all intestate heirs, or bond set at \$10,000.00. 2. Need to know if any of the disclaiming siblings have issue. <p>Note: Pursuant to Intestate Succession the beneficiaries of the decedent's estate would be the parents, Hortencia Miranda and Modesto Blanco. Hortencia Miranda and Modesto Blanco have disclaimed their interest. If a beneficiary disclaims their interest in the estate, the disclaimer acts as if the disclaiming party pre-deceased the decedent. See Probate Code §275 et seq. for disclaimers. Because Hortencia Miranda and Modesto Blanco disclaimed their interest in the estate, all of the siblings of the decedent would then be heirs. Since all of the siblings of the decedent excluding Ricardo Garcia have disclaimed their interest in the decedent's estate the issue of the siblings, if any, that disclaimed would now be intestate heirs pursuant to intestate succession.</p> <p>A Disclaimer when effective is irrevocable pursuant to Probate Code §281.</p> <p>Please see additional page for Status Hearings</p> <p>Reviewed by: LV</p> <p>Reviewed on: 03/14/2014</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5 – Blanco</p>
Cont. from 020414, 022614	Full IAEA – o.k.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Decedent died intestate	
<input type="checkbox"/> Inventory	Residence: Fresno	
<input type="checkbox"/> PTC	Publication: The Business Journal	
<input type="checkbox"/> Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg	Estimated value of the Estate:	
<input checked="" type="checkbox"/> Aff.Mail	Real property \$190,000.00	
<input checked="" type="checkbox"/> Aff.Pub.	Less encumbrances -\$185,000.00	
<input type="checkbox"/> Sp.Ntc.	Total: \$5,000.00	
<input type="checkbox"/> Pers.Serv.	Probate Referee: Steven Diebert	
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		

Note: If the petition is granted status hearings will be set as follows:

- **Friday, 08/22/2014 at 9:00a.m. in Dept. 303** for the filing of the inventory and appraisal **and**
- **Friday, 05/22/2015 at 9:00a.m. in Dept. 303** for the filing of the first account and final distribution.

Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.

DOD: 07/18/2013		ANASTASIA HENDRIX, AMY NORVELLE,	NEEDS/PROBLEMS/COMMENTS:
		and JOHN T. HENDRIX , children are	
		petitioners.	<u>Continued to 05/07/2014 at the request of the Attorney</u>
		40 days since DOD	
Cont. from 022614		No other proceedings	The following issues remain:
<input type="checkbox"/>	Aff.Sub.Wit.	s/p	
<input checked="" type="checkbox"/>	Verified		<ol style="list-style-type: none"> 1. Will devise the entire estate pass to the Patrick John Hendrix Revocable Living Trust therefore the Trustee must petition to request that the real property pass to the trust. 2. Each petitioner must sign the Inventory and Appraisal.
	Inventory		
	PTC		I&A - \$14,166.00
	Not.Cred.		
	Notice of Hrg	x	Will dated: 11/30/2010 devises the entire estate to the Patrick John Hendrix Revocable Living Trust.
	Aff.Mail	x	
	Aff.Pub.		Petitioners request Court determination that decedent's 4.166% interest in real property located at 51 Beechwood Ave, Fresno, Ca.; 1/12 th interest in property located at 44 and 50 W. Herndon Ave., Fresno, Ca.; and 1/24 th interest in real property located in Madera, Ca. pass 33.3% to John Hendrix, 33.3% to Anastasia Hendrix and 33.3% to Amy Norvelle.
	Sp.Ntc.		
	Pers.Serv.		Video Receipt
	Conf. Screen		
	Letters		CI Report
	Duties/Supp		
	Objections		9202
	Video Receipt		
	CI Report		<input checked="" type="checkbox"/> Order
	9202		
	Order		Aff. Posting
	Aff. Posting		
	Status Rpt		UCCJEA
	UCCJEA		
	Citation		FTB Notice
	FTB Notice		
			Reviewed by: LV
			Reviewed on: 03/14/2014
			Updates: 03/18/2014
			Recommendation:
			File 6 – Hendrix

DOD:12-18-13	AUDREY BURCH , Spouse, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Need original I&A. (A copy is attached to the declaration, but the original has not been filed.) Original I&A filed 3-18-14.
	40 days since DOD	
	No other proceedings	
<input type="checkbox"/> Aff.Sub.Wit.	I&A: \$80,000.00	
<input checked="" type="checkbox"/> Verified		
<input checked="" type="checkbox"/> Inventory	X Will dated 12-9-13 devises estate to Petitioner	
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Petitioner requests Court determination that the decedent's 100% interest in certain real property located in Bakersfield, CA, passes to her.	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	w	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: skc
		Reviewed on: 3-14-14
		Updates: 3-18-14
		Recommendation: SUBMITTED
		File 7 - Birch

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Petitioner states the income on which he and his spouse formerly supported themselves is \$4,462.80. Petitioner's monthly expenses are \$4,519.50, leaving a shortfall of \$1,588.50.

Petitioner proposes to allocate all of the income of the Petitioner and his spouse for the benefit of Petitioner so that the CSMIA of the Petitioner is increased to \$4,519.50. If Petitioner does not receive the increase, he will be unable to maintain himself in the family home. The liquid assets available in the event of emergency have been reduced to only \$11,600.00.

Petitioner states the proposed increase in the CSMIA of Petitioner benefits Petitioner, his spouse, and Medi-Cal program. Because Petitioner's income will be significantly provided by his own retirement income except for the requested increase of \$1,588.50 in the CSMIA and the income from the couple's assets, a portion of the spouse's retirement income will be available as a "share of cost" to reduce the amounts paid by the Medi-Cal program to the convalescent hospital. Thus, Medi-Cal's expenditures will be reduced while maintaining Petitioner at the same level of income Petitioner would otherwise have received from Spouse.

Petitioner requests bond be waived because he will continue to be subject to the spousal fiduciary duties established by California law. Since most of the couple's assets will be allocated to Petitioner's CSRA, and since Petitioner will need all income generated by them to support himself, and in view of the spousal fiduciary obligations, Petitioner requests the Court make a finding of good cause and dispense with the requirement of bond in this matter.

See Points and Authorities and Declaration in Support. See also Capacity Declaration (confidential). The Capacity Declaration states that Mrs. Few is unable to attend the hearing pursuant to Probate Code §3141(b) and provides diagnosis and capacity information.

Petitioner prays for an order that:

1. **Phyllis E. Few is substantially unable to manage her financial resources and lacks legal capacity for the proposed transactions;**
2. **Petitioner has legal capacity for, and joins in and consents to, the proposed transactions;**
3. **The CSMIA allowable to Petitioner is increased to \$4,519.50 and any shortfall be charged against the income of Phyllis E. Few;**
4. **Petitioner be authorized to join in and consent to said increase the CSMIA on behalf of Phyllis E. Few;**
5. **The requirement of bond be dispensed with; and**
6. **For such other and further relief as the Court deems proper.**

		MELINDA CORDELL , Principal, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner states she presently resides at Somerford Place of Fresno, a facility licensed to provide care for those how have been diagnosed with dementia, which she does not have. Petitioner is not married and has no children.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
✓	Objections		
	Video Receipt		
	CI Report		
	9202		
	Order	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		<p>Petitioner previously signed a Durable Power of Attorney and an Advanced Health Care Directive (Exhibits A and B).</p> <p>On 9-19-12, Petitioner resigned as trustee of her own trust because of ill health and other personal reasons. PHILLIP ROLFE began serving as trustee from that point. Petitioner sought the assistance of her former attorney, JOSEPH HORSWILL, to make changes to her estate plan. On 11-22-13, he wrote to inform her that because he felt the plan was not in her best interest, he would not perform the legal work to accomplish her stated desires. In his letter, he stated that if Petitioner wished to contact another attorney to request that the work be done, he would cooperate as required by law for that purpose (Exhibit C).</p> <p>Petitioner states she initially sought assistance from an attorney in New York City that she has known for many years, but was advised to locate a California attorney. Petitioner was then referred to Perkins, Mann & Everett. Mr. Rindlisbacher visited Petitioner at the facility where she has resided for over a year, and at Petitioner's request, contacted Attorney Horswill to request that he transfer Petitioner's files to Mr. Rindlisbacher's office.</p> <p>Petitioner states that at her request, Mr. Rindlisbacher asked Somerford Place of Fresno to provide him with copies of all medical assessments and copies of her admission agreement; however, they have refused to provide him with those records despite Petitioner's signed written consent. They have taken the position that they will not abide by Petitioner's request without the consent of the agent designated in Petitioner's "facially valid" power of attorney. See Exhibit F.</p> <p style="text-align: center;">SEE ADDITIONAL PAGES</p>	
			Reviewed by: skc
			Reviewed on: 3-14-14
			Updates: 3-17-14
			Recommendation:
			File 9 - Cordell

Page 2

Petitioner states Mr. Rolfe has hired Attorney Thomas Hornburg to represent him in his capacity as successor trustee of Petitioner's trust, and Mr. Hornburg has provided Mr. Rindlisbacher with a copy of a summary report of Petitioner's mental status as of April 2013 conducted by Alzheimer's & Memory Center. He has taken the position that Petitioner lacks the legal capacity to hire Mr. Rindlisbacher with her estate planning. See Exhibit G.

It is Petitioner's desire to terminate any authority she has granted to Mr. Rolfe or **JANELLE CHESKI-HILL** as an agent under her Durable Power of Attorney and to terminate any authority granted to Mr. Horswill, Mr. Rolfe, or Ms. Cheski-Hill as an agent under her Advanced Health Care Directive. See Revocations at Exhibits H and I.

Petitioner desires and intends to remove Mr. Rolfe as trustee of her trust and as executor under her will and to resume managing her own property. Petitioner wants to designate her longtime tax preparer **BILLIE MILES** as successor trustee of her trust and as executor. Petitioner also desires to remove Mr. Rolfe as a beneficiary under the trust and to leave the portion that was to go to him to two existing charitable beneficiaries. See Amendment at Exhibit J.

Legal Authorities: Petitioner cites Probate Code §4541, 4540, 4766, 4765. Probate Code §810 creates a rebuttable presumption that Petitioner has capacity to make decisions and be responsible for her own acts or decisions. Petitioner states she is not under conservatorship and there has never been a judicial adjudication that she lacks capacity. Petitioner wants to ensure that her desires regarding where she lives and how her estate is distributed are honored and desires to have an independent medical examination conducted by Dr. Howard Terrell, MD, of Clovis, CA, to assess her current legal capacity to contract, to make the desired changes to her estate plan, and to make medical and personal care decisions for herself. This medical assessment is critical because of the position being taken by Mr. Rolfe and others based on the April 2013 assessment. The estimated cost is \$4,000.00.

See also Points and Authorities in Support of Petition.

Petitioner prays for the following orders:

- 1. All Durable Powers of Attorney executed by Petitioner have been revoked and the power granted to any agents therein is terminated;**
- 2. All Advanced Health Care Directives executed by Petitioner have been revoked and the power of any agents designated therein is terminated;**
- 3. Petitioner Melinda Cordell has the legal capacity to make any and all health care decisions, including the decision as to where she will reside;**
- 4. Such other orders as the Court deems appropriate.**

Phillip Rolfe's Opposition to Petition filed 3-14-14 states: This case concerns the health, safety and financial security of Petitioner Melinda Cordell, all of which are in jeopardy due to the overzealous "advocacy" of Petitioner's purported attorney Curtis Rindlisbacher. This case demonstrates a flaw in the ethical standards of the practice of law in the State of California whereby the estate of an at-risk elder in need of the utmost care can be placed in peril due to the "assistance" of an overly zealous advocate. This Court should dismiss the petition in its entirety for lack of legal basis for the relief requested, or in the alternative, dismiss the petition pursuant to Probate Code §§ 4543 and 4768, and terminate jurisdiction to grant Mr. Rindlisbacher any compensation from Petitioner's estate.

SEE ADDITIONAL PAGES

Objector states Petitioner was diagnosed with dementia less than a year ago on 4-17-13 by Alex Sherriffs, M.D., and Marcy Johnson, Ph.D., of the UCSF Fresno Alzheimer's & Memory Center. Petitioner presently resides in the dementia unit of Somerford Place Alzheimer's Assisted Living Facility in Fresno. On or about 2-3-14, Attorney Rindlisbacher met with Petitioner for the first time in the dementia unit of her assisted living facility. During this consultation, Petitioner was allegedly convinced that her trusted friend of many years, Respondent Phillip Rolfe, was not acting in her best interests. However, the true facts are that Mr. Rolfe has prudently and successfully managed Petitioner's finances since he was appointed as sole trustee of her trust and as her Attorney-in-Fact since 9-19-12. Mr. Rolfe states he only accepted this role out of deep care and concern for his friend and colleague of many years and because he knew there was no one else who would help her and ensure her proper care.

Objector states that contrary to the "factual background" carefully crafted by Mr. Rindlisbacher, Petitioner voluntarily gave up control of her personal finances and health care decisions and appointed Mr. Rolfe as her trustee because she was suffering from early onset dementia, and due to her inability to care for herself, had become malnourished and had fallen at her home. During her treatment, her impaired mental capacity was discovered. With the assistance of her longtime attorney Joseph Horswill, Petitioner executed the documents necessary to ensure her continued health and financial protection by Mr. Rolfe. Mr. Rindlisbacher was notified of these facts in writing by both Mr. Horswill and Mr. Rolfe's attorney, and Mr. Rindlisbacher was provided with a copy of the detailed assessments and recommendations made by the UCSF Fresno Alzheimer's & Memory Center. See Objection for details of the assessments.

Objector states the Court lacks authority to grant the relief requested with respect to the POA and should deny the petition in its entirety. Petitioner refers to only Probate Code §4541 (a) for determination of whether the POA "is in effect or has terminated." However, Probate Code §4541 (d) clearly provides that determination that a POA has been "revoked" requires a judicial determination of all of the following: the attorney-in-fact has violated or is unfit to perform the fiduciary duties; at the time of the determination, the principal lacks capacity to give or revoke a POA; the revocation of the attorney-in-fact's authority is in the best interest of the principal or the principal's estate.

There are no allegations that Mr. Rolfe is unfit and the facts would not bear this out. There is no allegation that Petitioner lacked capacity to execute the POA originally in 2012. To the contrary, Petitioner alleges that she is capable. Finally, there is no allegation that the revocation is in the best interest of the principal. Mr. Rolfe has prudently managed Petitioner's estate since he accepted the role of her fiduciary.

Objector states if Petitioner is truly seeking relief under §4541 (a) as alleged, then Petitioner has failed to allege any facts as to why the POA would not be effective. Petitioner has failed to allege that said document was not executed by Petitioner or that Petitioner was not capable at the time of execution. There is no allegation that Mr. Rolfe or any other agent has terminated his or her authority thereunder. There is simply no authority to grant the requested relief under §4541 or any other section of the Probate Code with respect to the POA and therefore the petition should be denied.

Objector states the Court should dismiss the petition with respect to the POA because these proceedings are not reasonably necessary for the protection of Petitioner's financial interests. With respect to a petition filed under §4541, §4543 provides in part that the court may dismiss a petition that is not reasonably necessary for the protection of the interests of the principal or the principal's estate. Petitioner has failed to allege any factual basis to support the contention that this petition is reasonably necessary for the protection of her financial interests or estate. The reason for this deficiency is because there are no facts to support such a contention. Assuming Petitioner has standing to institute these proceedings, that does not mean that there are any grounds for the relief requested. Mr. Rolfe has prudently invested the assets of Petitioner and meticulously accounted for each and every expenditure made for her benefit since he assumed the role of her fiduciary.

SEE ADDITIONAL PAGES

Page 4

Objector states there is a very real possibility that due to Petitioner's relatively meager assets, her estate will not be sufficient to provide for her necessary care for the rest of her life. Any drain on these assets by frivolous proceedings such as these will be catastrophic for Petitioner's prospects of continuing to receive the standard of care that she enjoys and requires in light of her age and condition. Thus, this petition and the costly independent medical evaluation requested by Petitioner herein are simply not reasonably necessary and should be dismissed pursuant to §4543.

This petition should be dismissed and any subsequent requests by Mr. Rindlisbacher to recoup his fees or costs from Petitioner's estate should be denied.

Objector states the Court lacks authority to grant the relief requested with respect to the Advanced Health Care directive and should therefore deny the petition in its entirety. Petitioner cites only §§ 4766(a)&(b) and requests a judicial determination that all Advanced Health Care Directives executed by petitioner have been revoked and the power of any agents designated therein is terminated. Probate Code §4766(d) actually relates to termination of the authority of an agent with respect to an advanced health care directive and provides that a petition may be brought for the purpose of declaring that authority is terminated upon determination that the agent has violated, failed to perform, or is unfit, etc., and that at the time of the determination by the court, the patient lacks capacity to execute or revoke same.

Here, there are no allegations that the health care agent authorized anything illegal or that the agent has engaged in any negligence or misconduct. Based on the facts alleged, there is no authority to grant the relief requested and the petition should be denied.

Objector states the Court should dismiss the petition because the proceedings are not reasonably necessary for the protection of Petitioner as a patient. Petitioner fails to allege any factual basis to support the contention that this petition is reasonably necessary for Petitioner's protection. Assuming Petitioner has standing to initiate these proceedings, that does not mean there are grounds for the relief requested. Petitioner is receiving sufficient care with the assistance of her health care proxy. She is currently residing in a facility capable of providing the care she requires and under the continued prudent financial management of Mr. Rolfe, it is anticipated that she will have the resources to remain there.

Petitioner lacks capacity to make her own financial or health care decisions, and therefore lacks the ability to revoke the POA or the Advanced Health Care Directive. See details and authority in Opposition.

Objector states the additional examination requested by Petitioner is unnecessary and would be a substantial and unnecessary burden on her estate. See letter from physician dated 11-27-12 and patient summary report referenced above dated 4-17-13. These evaluations included a physical and neuropsychological evaluations, a multidisciplinary team conference and a comprehensive interview with Ms. Cheski-Hill, Petitioner's good friend and agent for health care, and someone who has spent much time with her over the years. Dementia is a progressive disease and symptoms gradually worsen over time and cannot be reversed, only managed. In light of the very recent diagnosis and the progressive nature of the disease, it would be both medically unnecessary and a wasteful financial burden on Petitioner's estate to allow for the costs of the requested assessment.

Objector states Petitioner was incapable of contracting for legal services; therefore, Mr. Rindlisbacher is not Petitioner's attorney and the Court should terminate jurisdiction to award attorney's fees to Mr. Rindlisbacher. Authority provided.

SEE ADDITIONAL PAGES

Mr. Rolfe respectfully requests that this Court:

1. Dismiss the Petition to Determine Whether Health Care Directive has Terminated; OR IN THE ALTERNATIVE, order that the Health Care Directive has not been revoked or terminated;
2. Dismiss the Petition to Determine Whether Durable Power of Attorney has terminated, OR IN THE ALTERNATIVE, order that the Durable Power of Attorney has not been revoked or terminated;
3. Terminate the Court's ability to award attorney's fees and costs to Attorney Rindlisbacher in this matter; and
4. Such other orders as the Court deems appropriate.

Response filed by Attorney Horswill (represented by Attorney Joseph F. Foares of Tulare) filed 3-14-14 states:

Mr. Horswill has been the attorney representing Petitioner Melinda Cordell for over 15 years. Mr. Horswill provided estate planning for Ms. Cordell during that time period and has had numerous discussions with her over the years as to her desires to live out her life. These desires were set forth not only in the prior will and powers of attorney executed by Ms. Cordell, but later, and most recently, in 2010 and thereafter when she drafted her revocable living trust and powers of attorney which remain in effect as of the date of the petition. As set forth in Mr. Horswill's declaration, Mr. Horswill believes it is in Ms. Cordell's best interest to have the estate planning documents that she executed in 2010 and her subsequent resignation executed in 2012 remain in effect.

Mr. Horswill states the issue of the attorney's duty to his client once the client becomes incapacitated is one that is somewhat complicated and not specifically addressed in the Ethical Rules of Professional Responsibility. Mr. Horswill requests the Court take judicial notice of the ethics opinion from the Bar Association of San Francisco with regard to Model Rule 1.14(b) – If the attorney reasonably believes that the client cannot act in the client's own interest, the attorney may take appropriate protective measures to preserve the client's personal property.

Mr. Horswill states he has been providing Ms. Cordell legal representation for over 15 years and has come to know her very well. Over the course of the last 12-18 months, Mr. Horswill has seen a steady decline in her physical and mental state, so much so, that he determined that she was no longer able to act in her own best interest. As a result, Mr. Horswill contends she is best served to now rely on her estate plan, allowing Mr. Rolfe to handle her affairs, as he has been doing so diligently and competently in the past. Further, Mr. Horswill believes that the status quo of her estate plan best serves her needs and that she should remain as a resident of Somerford Place, but will abide by any orders the Court issues on her behalf.

SEE ADDITIONAL PAGES

Declaration filed concurrently by Attorney Horswill states: Mr. Horswill does not intend nor attempt to breach Ms. Cordell's rights to her attorney-client privilege. The below statements are stated in generalities and are not specific details of conversations or work-product. Mr. Horswill respectfully requests the Court allow him to supplement the declaration in camera. Mr. Horswill states he met Ms. Cordell in or about February 1997 when she requested his assistance in a bankruptcy matter. From that date forward, he has had numerous conversations with her either in his office or at her residence. In March 1998 he prepared estate planning documents for Ms. Cordell pursuant to her request consisting of a will and powers of attorney for finances and health care. From March 1998 through March 2005, they had several different conversations regarding her estate planning and wishes as to actions to be taken should she become deceased or incapacitated. On or about March 2005, he prepared a new will to modify the terms of her prior will.

In July 2010, based on some inheritance received, Mr. Horswill's office prepared a trust entitled "The Melinda Cordell 2010 Trust dated August 13, 2010." Pursuant to many discussions, the POA for finances and health care were also revised. Ms. Cordell expressed unequivocal confidence in her friend Phillip Rolfe to be the trustee and handle administration should she become deceased or incapacitated. As to the general power of attorney, she once again expressed confidence in her friend Phillip Rolfe and her friend Janelle Cheski-Hill as agent in fact. For health care, Mr. Horswill states he reluctantly agreed to act as agent with Mr. Rolfe as alterantive agent. Later Mr. Rolfe was named as sole agent under both as well as trustee.

Mr. Horswill states that on or about September 2012, Ms. Cordell suffered an injury and her health began to significantly decline. While she may or may not have been incompetent at that time, she nevertheless agreed to resign her position as trustee and allow Mr. Rolfe to serve as trustee and handle her finances from that point forward. It is Mr. Horswill's belief that this was a proper and courageous decision by Ms. Cordell given her decline in health.

Throughout 2012-2013, Mr. Horswill states he met with Ms. Cordell on a number of occasions, and at each visit felt her health had declined from the previous visit. In early 2013, he found her somewhat confused and incoherent, and determined it was not in her best interest to make further changes to her estate planning after his last meeting with her by phone in November 2013. His suspicions were confirmed when he received the medical evaluation. Throughout the middle and later part of 2013, Mr. Horswill received a significant amount of phone calls from Ms. Cordell requesting to terminate the trust and that she be allowed to move to "her home" in Colorado. Although Mr. Horswill indicated to her on those occasions that she does not own property in Colorado, she insisted that she did, which further supported his belief that she was unable to handle her affairs.

Mr. Horswill states that he has found Mr. Rolfe to be a very competent and compassionate person. He has taken over duties as successor trustee and has done an outstanding job. This includes his assistance in placing Ms. Cordell at Somerford Place, which in Mr. Horswill's opinion is an appropriate place for her to reside. Based on his prior relationship and conversations with Ms. Cordell over the last 15 years, Mr. Horswill believes it is in Ms. Cordell's best interest to remain at Somerford Place and to retain Mr. Rolfe as successor trustee as he has done so diligently in the past, all without any compensation for his work.

Mr. Horswill feels this litigation filed by Mr. Rindlisbacher threatens not only to undermine Ms. Cordell's estate planning as she intended it to be, but also could have a substantial effect on her capacity to meet those needs.

Atty Garcia, Rosario (Pro Per – Mother – Petitioner)

Atty Alvarez-Garcia, Maria (Pro Per – Maternal Grandmother – Guardian)

Atty Garcia, Alfredo (Pro Per – Maternal Grandfather – Guardian)

Petition for Visitation

Angelina, age 6	ROSARIO GARCIA, Mother, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Kaylyne, age 4		
	MARIA ALVAREZ-GARCIA and ALFREDO GARCIA , Maternal Grandparents, were appointed guardians on 8-30-11. - <i>Personally served 10-15-13</i>	<u>Continued from 11-19-13</u>
Cont. from 111913	Father: KEVIN LENARD	Minute Order 11-19-13 (Judge Cardoza): Parties are sworn at the direction of the Court. Parties are advised that the Court is not going to change visitation at this time. The Court orders that mother not have any visitation with the children. The Court further orders that mother not have any direct or indirect contact with the children. Mother is ordered to continue participating in Westcare and to bring proof of her drug testing from Probation to the next hearing. Continued to 3-19-14.
Aff.Sub.Wit.		
✓ Verified	Petitioner states she would like to be able to see her kids three times a week or to have overnight weekend visits.	
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
Aff.Mail		
Aff.Pub.		
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: skc
		Reviewed on: 3-14-14
		Updates:
		Recommendation:
		File 10 – Delgado & Lenard

11 **Pete P. Salang (Det Succ)**
 Atty Salang, Sandy (pro per – son/Petitioner)
 Atty Salang, Chad D. (pro per – son/Petitioner)

Case No. 13CEPR01028

Amended Petition to Determine Succession to Real Property

DOD: 08/19/99	SANDY SALANG and CHAD D. SALANG , sons, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
	40 days since DOD	
Cont. from	I&A: \$60,000.00	<ol style="list-style-type: none"> The Amended Petition does not mention Willie Salang DOD: 05/10/10; who was listed as a decedent on the initial Petition filed 11/26/13. Petitioners initially listed two decedent's indicating that the property was possibly owned by two people. Need clarification as to who Willie Salang is (relationship to Pete Salang) and his/her ownership interest in the property (if any). The Petition indicates that Pete had a spouse who is deceased. The deceased spouse (with date of death) should be listed in attachment 14 along with all of Pete's other heirs. The Petition does not state the percentage of property owned by Pete Salang they are requesting be passed to them. Did Pete own 100% of the property, or was the property owned as community property with Willie. Need more information. The Petition is marked at item 10(d) that the decedent is survived by no known next of kin, however Petitioners state that they are the sons of the decedent, therefore it is unclear why 10(d) was marked. Need clarification. Need <i>Notice of Hearing</i> and proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> on all heirs of decedent (if any other than Petitioners).
<input type="checkbox"/> Aff.Sub.Wit.	Decedent died intestate	
<input checked="" type="checkbox"/> Verified	Petitioners request Court determination that the Decedents real property passes to them 50% each pursuant to intestate succession.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		<p>Note: If the property was the community property of Pete and Willie and Willie died after Pete, Willie's estate would be an heir to Pete's interest in the property and not the Petitioners. A special administration of Willie's estate may be appropriate for this petition. Petitioners may wish to seek legal advice from an attorney.</p>
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input type="checkbox"/> Conf. Screen		
<input type="checkbox"/> Letters		
<input type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 03/14/14
		Updates:
		Recommendation:
		File 11 – Salang

12 Joseph Bawaan, Jr. & Vanessa Bawaan (GUARD/P) Case No.14CEPR00032

Atty Bawaan, Albert James (pro per – paternal grandfather/Petitioner)

Atty Ochoa, Candy Natalie (pro per – paternal grandmother/Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Joseph, 3	TEMPORARY EXPIRES 03/19/14	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> Consent & Waiver of Notice <u>or</u> Declaration of Due Diligence for:</p> <p>a. Lisa Pena (maternal grandmother)</p> <p>b. Paternal grandfather</p>
Vanessa, 10 months	<p>ALBERT BAWAAN and CANDY OCHOA, paternal grandparents, are Petitioners.</p> <p>Father: JOSEPH DAVID BAWAAN – personally served on 01/26/14</p> <p>Mother: VANESSA NADINE GONZALEZ – personally served on 01/26/14</p> <p>Maternal grandmother: LISA PENA</p> <p>Maternal grandfather: NOT LISTED</p> <p>Petitioners state that both parents are homeless, drug addicts, and unemployed. There have been two recent acts of violence involving the parents in the past two months that the children witnessed. The father is currently recovering from a brutal beating by the mother's brother that required hospitalization.</p> <p>Court Investigator JoAnn Morris filed a report on 03/07/14.</p>	
Cont. from		
Aff.Sub.Wit.		
✓ Verified		
Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
Aff.Mail	x	
Aff.Pub.		
Sp.Ntc.		
✓ Pers.Serv.	w/	
✓ 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: 03/14/14
		Updates:
		Recommendation:
		File 12 – Bawaan

Age: 6	TEMPORARY EXPIRES: 03/19/14	NEEDS/PROBLEMS/COMMENTS:
	MICAELA PRINCE , paternal grandmother, is Petitioner.	
	Father: ALFRED RUIZ, III – currently incarcerated	1. Need <i>Notice of Hearing</i> .
Cont. from	Mother: TAMY CALLISON – Declaration of Due Diligence filed 01/29/14	2. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> or <i>Consent & Waiver of Notice</i> or <i>Declaration of Due Diligence</i> for:
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandfather: ALFRED RUIZ, JR.	a. Alfred Ruiz, III (father) – personal service required
<input checked="" type="checkbox"/> Verified	Maternal grandparents: UNKNOWN	b. Tamy Callison (mother) – personal service required, unless diligence is found
<input type="checkbox"/> Inventory	Petitioner states that guardianship is necessary because Mia's father is incarcerated and her mother is homeless, moving place to place and abusing drugs.	c. Alfred Ruiz, Jr. (paternal grandfather) – service by mail sufficient
<input type="checkbox"/> PTC		Court Investigator JoAnn Morris filed a report on 03/12/14.
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg		
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 03/14/14
		Updates:
		Recommendation:
		File 13 – Ruiz

Petition for Appointment of Temporary Guardian of the Person (Prob. C. 2250)

Age: 7	<p align="center"><u>TEMPORARY GRANTED EX PARTE EXPIRES</u> <u>03/06/2014</u></p> <p align="center"><u>GENERAL HEARING 05/06/2014</u></p> <p>JAYMES DRAKE and LAURA DRAKE, paternal uncle and aunt, are petitioners.</p> <p>Father: DAVID MITCHELL DRAKE, Consents and Waives Notice</p> <p>Mother: JODI JAYDEAN WARD, Deceased</p> <p>Paternal Grandfather: Mitchel Drake Paternal Grandmother: Cora Drake</p> <p>Maternal Grandfather: Mr. Ward, Deceased Maternal Grandmother: Tina Smart</p> <p>Petitioner states: the mother was killed in a car accident in 11/2013 and the father has been in and out of incarceration and has a long history of substance abuse. The child has been in the care and custody of the petitioner since November 2013 after the father informed the petitioner that the child's mother had been killed. When the petitioner, Jaymes Drake, arrived at the home of the child, the minor had been wearing the same clothes for days, there was no power in the home and the minor was eating visibly old food. Petitioners are concerned about the child's medical and dental care. He requires immediate dental work, however, the petitioners were advised by the doctor that they would first need to obtain a guardianship before receiving medical attention. Petitioners would like to obtain insurance for the minor. Petitioners believe the maternal grandmother may be receiving benefits for the minor. Petitioners were advised by the maternal grandmother not to try to collect SSI for the minor as she was taking care of it. Petitioners are fearful that the maternal grandmother will abscond with the child.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Petitioners' Fee Waiver were denied on 03/10/2014. Filing fee of \$285 is due (\$60 for temporary and \$225 for the general petition).</p>
Cont. from		
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified		
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.		
<input type="checkbox"/> Notice of Hrg <input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Mail <input checked="" type="checkbox"/>		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
<input checked="" type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters		
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input checked="" type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
Reviewed by: LV		
Reviewed on: 03/14/2014		
Updates:		
Recommendation:		
File 14 – Drake		

Ex Parte Petition to Fix Residence Outside the State of California

Caitlin age: 7	<p>BRANDI CHAVONNE LANIER, guardian, is petitioner.</p> <p>Father: KENNETH LANIER – consents and waives notice.</p> <p>Mother: ERIN ZANE – consents and waives notice.</p> <p>Paternal grandfather: Kenneth Lanier – consents and waives notice.</p> <p>Paternal grandmother: Rose Lanier – consents and waives notice.</p> <p>Maternal grandfather: Bob Zane – consents and waives notice.</p> <p>Maternal grandmother: Barbara Zane – consents and waives notice.</p> <p>Petitioner states her husband has a lung condition that requires him to move to cleaner air quality as soon as possible. He was able to get a job transfer to Springfield, Missouri. Their move date is set for March 23, 2014.</p> <p>Pre-Move Notice filed on 3/18/14 indicates the physical address of the minor will be: Redacted for posting</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> #2 of the Petition does not indicate the physical address of the residence the minors will be relocated to. #5 of the Petition does not indicate the duration of the move. Probate Code 2352(d) states an order under subdivision (c) [allowing the guardian to establish the residence of the minor outside of the state of California] shall require the guardian either to return the ward to this state or cause a guardianship proceeding or its equivalent to be commenced in the place of the new residence, when the ward has resided in the place of the new residence for a period of four months or longer or shorter period of time specified by the order. Need Pre-Move Notice of Change of Personal Residence of Ward, for GC-079 – filed 3/18/14 – Served by Brandi Lanier. Brandi Lanier is a party to the action therefore she cannot served the document. #3 of the order does not include the complete physical address that the minors will be moved to. <p>Note: If the Petition is granted the court will set a status hearing as follows:</p> <ul style="list-style-type: none"> July 18, 2014 at 9:00 a.m. in Dept. 303; for filing of the proof of establishing a guardianship in Missouri. 	
Autumn age: 4			
Cont. from			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			N/A
Aff.Mail			
Aff.Pub.			
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: KT	
		Reviewed on: 3/17/14	
		Updates:	
		Recommendation:	
		File 15 – Lanier	