1 Shelly Blum (CONS/PE) **Case No. 0378329**

Atty Wright, Janet L. (for Gerald H. Blum – Father/Conservator)

Petition for Approval of Seventh Account and Report and for Allowance of Attorney's Fees (Prob. C. 2620 and 2640)

Age: 56
DOB: 02/03/56

Cont. from

	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	
✓	2620(c)	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

GERALD H. BLUM, Conservator, is Petitioner.

Account period: **01/01/11 – 12/31/11**

Accounting	-	**$146,951.17**
Beginning POH	-	**$107,885.46**
Ending POH	-	**$93,741.07**
Conservator	-	**waives**
Attorney	-	**$3,500.00**
Costs	-	**$435.00**

Petitioner requests an order allowing Petitioner to make bi-weekly payments to the Conservatee in the approximate amount of $170.00.

Petitioner prays for an Order:

1. Approving, allowing and settling the seventh account;
2. Authorizing Petitioner to make bi-weekly payments to the Conservatee in the approximate amount of $170.00; and
3. Authorizing payment of the attorney's fees and costs

Court Investigator Dina Calvillo's report was filed 10/20/11.

NEEDS/PROBLEMS/COMMENTS:

1. **Petition refers to a detailed description by Attorney Janet Wright regarding legal services rendered and costs expended; however, no description or itemization is attached to the Petition or filed separately. Need itemized description of requested attorney's fees and costs.**

Reviewed by: JF
Reviewed on: 03/09/12
Updates:
Recommendation:
File 1 - Blum

Dept. 303, 9:00 a.m. Tuesday, March 20, 2012

2 Lynn Ann Golden (Estate) Case No. 09CEPR00051

Atty **Fanucchi, Edward L. (for Josesph Golding/Administrator – Petitioner)**

Report of Sale and Petition for Order Confirming Sale of Real Property (Prob. C. 2540, 10308)

DOD: 4/5/08		
Cont. from		
	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	

JOSEPH GOLDING is Administrator/Petitioner.

Sale Price - **$80,100.00**
Overbid - **$84,605.00**

Reappraisal - **$85,000.00**

Property - 1173 S. Klein Reedley, CA

Publication - The Reedley Exponent

Buyers - Henry & Ruth Laemmlen

Broker - **$4,806.00** (6% - $2,403.00 payable to Barnes Realty and $2,403.00 payable to Realty Stars, Visalia)

[Note: Petitioner is sole heir and waived bond at time of appointment as personal representative.]

NEEDS/PROBLEMS/COMMENTS:

1. **Need Order.**

Reviewed by: JF

Reviewed on: 03/09/12

Updates:

Recommendation:

File 2 - Golden

Dept. 303, 9:00 a.m. Tuesday, March 20, 2012

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

Cont. from 120511, 013112

	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	
✓	2620(c)	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

GOOD SHEPARD FUND, Trustee, is petitioner.

Account period: 5/10/10 – 4-30-11

Accounting - **$117,650.07**
Beginning POH- **$0**
Ending POH- **$116,961.53**

Trustee - **$721.25** (per itemization and declaration)

Attorney - **$825.00** (per itemization and declaration 3.45 hrs @ $220/hr)

Costs - **$200.00** (filing fee)

Petitioner prays for an Order:

1. The court make an Order approving, allowing and settling the first account;
2. The court authorize and direct Petitioner to pay Trustee fees in the amount of $721.25;
3. The court authorize and direct Petitioner to pay attorney fees and costs in the amount of $1,025.00.

NEEDS/PROBLEMS/COMMENTS:

Continued from 1/31/12. Minute order states Mr. Little states to the court that the trustee is not acting in the proper capacity. It is notice that the Trustee, Good Shepard Fund has not communicated with Central Valley Regional Center (CVRC). The Court orders a CVRC representative to be present at the next hearing on March 20, 2012. Mr. Little is to coordinate a meeting with CVRC prior to the next hearing. Needs/items for Christina need to be placed in motion (i.e. "put into the pipeline") prior to the next hearing. *As of 3/13/12 no additional documents have been filed.*

1. **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.**

Reviewed by: KT
Reviewed on: 3/13/12
Updates:
Recommendation:
File 3A - Romar

Dept. 303, 9:00 a.m. Tuesday, March 20, 2012

4 **Glenn Mark Massie (Estate)** **Case No. 10CEPR00599**

Atty **Wright, Janet L. (for Leota E. Massie – Spouse – Executor – Petitioner)**

Petition for Termination of Further Proceedings (Prob. C. 12251)

DOD: 8-11-09		
	Aff.Sub.Wit.	
✔	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✔	Notice of Hrg	
✔	Aff.Mail	
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	
	Conf. Screen	
✔	Letters	8-17-10
	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	
✔	9202	
✔	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
✔	FTB Notice	

LEOTA E. MASSIE, Spouse and Executor, is Petitioner.

Petitioner was appointed Executor with Full IAEA without bond and Letters issued on 8-17-10.

Petitioner states that although no assets requiring probate administration were discovered, the Letters Testamentary were required by a pension administrator in order for the surviving spouse to elect options.

Petitioner states there are no assets on hand. Substantially all of the decedent's assets were held in individual retirement accounts or other accounts naming the spouse as the beneficiary. A Spousal Property Petition was filed simultaneously with the Petition for Probate that requested confirmation that the few remaining accounts passed to the spouse.

No additional assets have been located and as such, no inventory was filed.

Attorney fees not to exceed $800.00 will be paid by the petitioner and costs advanced by Wright & Johnson have either been paid or will be paid by the petitioner.

Petitioner prays for an order terminating further proceedings in this estate and that any after discovered assets should be distributed without further order to Petitioner pursuant to the terms of the will.

NEEDS/PROBLEMS/COMMENTS:

Reviewed by: skc

Reviewed on: 3-9-12

Updates:

Recommendation:

File 4 - Massie

Dept. 303, 9:00 a.m. Tuesday, March 20, 2012

5 **Jacqueline McElroy (Estate)** **Case No. 11CEPR00794**

Atty **Knapp, Bonnie J. (for Eric Schloen – Special Administrator – Petitioner)**

Petition for Termination of Further Proceedings and Discharge of the Personal Representative [Prob. C. 12251, Gov. C 70657(a)(1)]

DOD: 4-4-11			SPECIAL ADMINISTRATION EXPIRES 3-12-12	NEEDS/PROBLEMS/COMMENTS:
	Aff.Sub.Wit.		**ERIC SCHLOEN**, Special Administrator, is Petitioner.	
✔	Verified			
	Inventory		Petitioner was appointed Special Administrator on 9-12-11 without bond with the specific limited power to commence and maintain lawsuits and other legal proceedings for the purpose of obtaining health care benefits for the decedent. The Special Administrator did not have power to marshal or collect assets. Inventory and accounting were waived.	
	PTC			
	Not.Cred.			
✔	Notice of Hrg			
✔	Aff.Mail	W		
	Aff.Pub.		Petitioner states no assets have been found, discovered or ascertained, and the estate is insolvent. There are no costs of administration.	
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters		The Special Administration has concluded the reason and purpose of this estate and there is no longer any need for continued administration. Medi-Cal eligibility has been established.	
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report		Petitioner prays for an order terminating further proceedings and discharging Petitioner as the personal representative.	
✔	9202			
✔	Order			
	Aff. Posting			**Reviewed by:** skc
	Status Rpt			**Reviewed on:** 3-9-12
	UCCJEA			**Updates:**
	Citation			**Recommendation:**
✔	FTB Notice			**File 5 - McElroy**

Dept. 303, 9:00 a.m. Tuesday, March 20, 2012

6 **Wanda H. Bingham (CONS/P)** **Case No. 11CEPR00949**

Atty **Boyett, Deborah K. (Court appointed for Conservatee)**

Petition for Order Fixing and Allowing Court-Appointed Attorneys' Fees (Prob. C. 1472)

Age: 86		
DOB: 06/29/25		
Cont. from		
	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	

DEBORAH BOYETT, Petitioner, was Court appointed to represent the Conservatee on 10/24/11.

David J. St. Louis was appointed Conservator of the Person on 11/22/11.

Petitioner requests fees in connection with the representation of Conservatee for the Petition to appoint a conservator.

Petitioner asks that she be paid from the Conservatee's trust estate for **26.30 hours @ $235.00/hr. for a total of $6,180.50.**

Services are itemized by date and include review of documents; visits with client; telephone conferences with caregivers, conservator, and other involved attorneys; and court appearances.

NEEDS/PROBLEMS/COMMENTS:

1. **Need Order.**

Reviewed by: JF

Reviewed on: 03/09/12

Updates:

Recommendation:

File 6 - Bingham

Dept. 303, 9:00 a.m. Tuesday, March 20, 2012

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		
DOB: 2/20/2004		
Cont. from 011312		
	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	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

AIDAN O'CONNOR, by his Guardian ad Litem, **KERI O'CONNOR**, mother, appointed by this Court ex parte on 12/15/2011, is Petitioner.

Petitioner seeks an order 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:

- 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 *(please refer to Exhibit A for recent copy of Medical Report of Howard Glidden, Ph.D.)*;
- 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;
- 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 *Petition*; after payments of the Medi-Cal lien (anticipated to be **$0**) and attorney fees and costs in the Litigation Action, Aidan will receive **$1,300,000.00**; from the total settlement amount, an annuity will be purchased for **$1,100,000.00**, which will pay **$3,750.81** per month; the remaining **$200,000.00** will be deposited into a special needs trust account that will an estimated 3% annual return;
- Petitioner requests the assets from the settlement be paid to **BRUCE D. BICKEL**, private professional fiduciary, as initial Trustee of the **AIDAN O'CONNOR SPECIAL NEEDS TRUST** *(please refer to Exhibit B for copy of proposed SNT; Consent to Act as Trustee filed 12/14/2011)*; Petitioner requests bond be fixed at **$276,110.69** *(please see additional page for calculation)*;

~Please see additional page~

NEEDS/PROBLEMS/COMMENTS:

<u>Continued from 1/31/2012</u>. *Minute Order* states the Court notes a flat fee of $4,500.00 has been asked for attorney's fees and, additionally, that hours needed may exceed what's expended. Mr. Matlak notes Aidan is entitled to workers' compensation benefits and his firm has hired an attorney who specializes in workers' compensation claims.

Reviewed by:	LEG
Reviewed on:	3/12/12
Updates:	
Recommendation:	
File 12 – O'Connor	

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;

~Please see additional page~

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;

~Please see additional page~

<u>Bases for Petitioner's request, continued</u>:

- 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*.

8 Jesse Felix Castro (CONS/PE) Case No. 06CEPR01119

Atty Perez, Holley H (for Jessica Burnett and Barbara Romero – Conservators/Petitioners)

Atty Keeler, William (court-appointed for Conservatee)

Probate Status Hearing Re: Filing of the Next Account

Age: 59 Years		
DOB: 4/26/1952		
Cont. from 060911, 072111, 082911, 100411, 110111, 011712		
	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	

JESSICA BURNETT and **BARBARA ROMERO**, daughters, were appointed Co-Conservators of the person and estate on 1/19/07, and are Petitioners. Bond was set at $15,000.00. *Bond was filed and letters issued on 1/19/07.*

Conservators' First Amended First Account was approved 5/24/11.

Status Report of Conservators, filed **5/31/11**, states:

- The real property asset of the Conservatee is currently rented and occupied by a tenant who pays $500.00 per month for rent;
- Conservators are in the process of providing information to their attorney necessary for the preparation of the Second Account;
- Conservatee's Workers' Compensation claim case has proceeded to trial; numerous witnesses have testified, however, the case has not yet been submitted to the Workers' Compensation Appeals Judge;
- It is anticipated that the Second Account and Report will be filed no later than June 20, 2011.

NEEDS/PROBLEMS/COMMENTS:

Continued from 1/17/12. Minute Order states: Ms. Perez advises the Court that Jessica has been cooperating and she now has some of the information. She further advises that Jessica's father-in-law passed away and the funeral is today so she was unable to be present in court. The Court waives Jessica's appearance for today and orders her to be present at the next hearing. The Court further orders that the accounting be completed through 12/31/11.

1. **Need Second Account and Report.**

Reviewed by:	NRN
Reviewed on:	3/12/12
Updates:	
Recommendation:	
File 8 - Castro	

9 **Jonathan A. Stevens (GUARD/PE)** **Case No. 08CEPR00124**

Atty **Flanigan, Philip M. (for Diane Stevens – Guardian)**

Probate Status Hearing Re: Filing of the Next Account

Age: 18		
DOB: 2-28-1993		
Cont. from 020712		
	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	X
	UCCJEA	
	Citation	
	FTB Notice	

DIANE STEVENS was appointed Guardian of the Person and Estate of **JONATHAN A. STEVENS** on 3-24-08 without bond with all funds and property to be placed in blocked accounts.

Final Inventory and Appraisal filed 7-21-08 reflected a total estate value of $55,400.02, of which $400.02 was cash and the remainder was the value of a mobile home and personal property located in a mini storage.

The second account settled on 10-5-10 reflected $1,864.05 cash and the items referenced above.

On that date, the Court set this status hearing for the filing of the next account.

The minor turned 18 on 2-28-11.

Minute Order 2-7-12: Counsel requests a continuance.

NEEDS/PROBLEMS/COMMENTS:

<u>Minute Order 2-7-12</u>: Counsel requests a continuance.

<u>As of 3-9-12, no account has been filed.</u>

1. **Need final account pursuant to Probate Code §2630.**

Reviewed by: skc
Reviewed on: 3-9-12
Updates:
Recommendation:
File 9 - Stevens

Dept. 303, 9:00 a.m. Tuesday, March 20, 2012

10 Lydia Peters (CONS/PE) **Case No. 10CEPR00167**

Atty Watson, Dennis L. (for Conservator Marguerite S. Hughes)

Status Hearing re: Filing of the Inventory and Appraisal and for the Filing of the First Account

Age: 88 years **DOB: 9/26/22**	**MARGUERITE S. HUGHES** was appointed as conservator of the person and estate on 5/17/10 with bond set at $412,500.00 Bond of $412.500 was filed on 8/12/10 and Letters issued on 9/15/10. Inventory and appraisal was due 12/15/10. First account is now due. A status hearing was set for the filing of the inventory and appraisal and for the filing of the first account. Minute Order dated 9/6/11 states Dennis Watson appeared by Court Call and stated a personal emergency had occurred. He is close to filing an accounting, pending a life insurance letter. The status hearing was continued to 10/11/11. At the Status Hearing on 10/11/11 there were no appearances and an Order to Show Cause Hearing was set. At the OSC hearing Mr. Watson appeared by Court call and this status hearing was set.	**NEEDS/PROBLEMS/COMMENTS:** 1. **Need Inventory and Appraisal.** 2. **Need First Account.**
		Reviewed by: KT
		Reviewed on: 3/13/12
		Updates:
		Recommendation:
		File 10 - Peters

Cont. from 121311, 020712

	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	

Dept. 303, 9:00 a.m. Tuesday, March 20, 2012

11 Karen Leigh Storey (CONS/P) Case No. 0263248

Atty Hair, Gail (Pro Per – Co-Conservator)
Atty Michael, Sheryl (Pro Per – Co-Conservator)

Status Hearing Re: Conservatorship

Age: 52		
DOB: 9-24-59		
	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	X
	UCCJEA	
	Citation	
	FTB Notice	

GAIL HAIR and SHERYL MICHAEL, sisters of Conservatee, were appointed Successor Co-Conservators of the Person and Estate on 1/25/2008.

I&A filed 5/5/08 reflects an interest in certain real property valued at $28,125.00.

Declaration filed 3/4/09 states the only asset of conservatorship estate is a 1/16th interest in undeveloped real property, which produces no income, and no plans exist to dispose of the property. Attorney Dowling requested court dispense with need for an accounting until such time as the Conservatee's interest in the real property was disposed of.

On 3/10/09, the Court dispensed with further accountings unless the real property was sold and set status hearing for 3/23/10.

On 3/23/10, the matter was continued to 3/22/11.

On 3/22/11, Sheryl Michael advised the Court that there have been no changes, and the matter was set for further status on 3/22/12.

NEEDS/PROBLEMS/COMMENTS:

1. **Need current status of conservatorship estate.**

Reviewed by: skc
Reviewed on: 3-9-12
Updates:
Recommendation:
File 11 - Storey

Dept. 303, 9:00 a.m. Tuesday, March 20, 2012

12 Dortha Martinusen (Estate) **Case No. 11CEPR00810**

Atty Boswell, Michelle (pro per – daughter/Executor)

Probate Status Hearing Re: Filing of Inventory and Appraisal

DOD: 07/18/11		**MICHELLE BOSWORTH,** daughter, as appointed Executor without bond on 10/20/11 and Letters were issued on 10/21/11.	**NEEDS/PROBLEMS/COMMENTS:** 1. **Need Inventory & Appraisal.**
Cont. from			
	Aff.Sub.Wit.		
	Verified		
	Inventory	x	
	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		**Reviewed by:** JF
	Status Rpt		**Reviewed on:** 03/09/12
	UCCJEA		**Updates:**
	Citation		**Recommendation:**
	FTB Notice		**File 12 - Martinusen**

Dept. 303, 9:00 a.m. Tuesday, March 20, 2012

13 Nevaeh A. Beltran (GUARD/P) **Case No. 11CEPR01010**

Atty Carbral, Mary Helen (pro per Petitioner/paternal aunt)

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

Age: 8 years
DOB: 1/22/2003

Cont. from 011712

	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	W/O
✓	Aff.Mail	W/O
	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	

Temporary Expires 3/20/12

MARY H. CARBRAL, paternal aunt, is petitioner.

Father: **MICHAEL MENDOZA –** *personally served on 2/15/12*

Mother: **CORINA BELTRAN –***Declaration of Due Diligence filed on*

Paternal grandfather: Not listed
Paternal grandmother: Elvira Ruiz
Maternal grandparents: Not listed

Petitioner states the minor's mother has never been in her life. Her father is a suicidal, alcoholic, schizophrenic and is bi-polar. Father is currently on parole and in a halfway house for the second time. Father is dependent on the minor's AFDC and does not have a home for the minor. Father lives with his mother and her boyfriend in a one bedroom apartment.

Objections of Father, Michael Mendoza filed on 12/12/11 states he has raised the minor since she was 2 ½ months old. He r mother has never been in her life. Father states he has kept up with her immunizations, has always dropped her off at school. Helps with homework. Father states he objects to the guardianship because he is in a residential program and is working on himself. He states he is going well in the program and will be finished really soon. Father states he loves his daughter and that is why he is going to finish the program so that he and his daughter can have a better life.

Court Investigator Julie Negrete's Report filed on 1/5/2012.

Court Investigator Julie Negrete's Supplemental Report filed on 3/12/12

NEEDS/PROBLEMS/COMMENTS:

1. Petition does not include the names and address of the mother, paternal grandfather and maternal grandparents, as required.
2. UCCJEA is incomplete at item #4 re: knowledge of another court case in California involving custody of this minor and item #6 re: knowledge of another person who has physical custody or claims visitation rights to this minor.
3. Confidential Guardian Screening form is incomplete at #6. Petitioner states that either her or another person living in her home has a social worker, parole or probation officer assigned to him or her without explaining as required.
4. Need proof of personal service of the *Notice of Hearing* along with a copy of the Petition or *Consent and Waiver of Notice* or *Declaration of Due Diligence* on:
   a. Corina Beltran – *unless court dispenses with notice.*
5. Need proof of service of *the Notice of Hearing* along with a copy of the Petition or *Consent and Waiver of Notice* or *Declaration of Due Diligence* on:
   a. Paternal grandfather
   b. Maternal grandfather

Reviewed by: KT
Reviewed on: 3/13/12
Updates: 3/14/12
Recommendation:
File 13 - Beltran

Dept. 303, 9:00 a.m. Tuesday, March 20, 2012

14 Valelia Amy Mele Paselio (GUARD/P) Case No. 12CEPR00063

Atty Talamaivao, Susana M. (Pro Per – Maternal Second Cousin – Petitioner)

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

Age: 13		
DOB: 3-12-99		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	X
	Aff.Mail	X
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	X
✓	**Conf. Screen**	
✓	**Letters**	
✓	**Duties/Supp**	
	Objections	
	Video Receipt	
✓	**CI Report**	
✓	**Clearances**	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
✓	**UCCJEA**	
	Citation	
	FTB Notice	

NO TEMPORARY REQUESTED

SUSANA M. TALAMAIVAO, 2nd Cousin, is Petitioner.

Father: **UNKNOWN**
Mother: **ELISAPETA PASELIO**
- *Consent and Waiver of Notice filed 3-6-12*

Paternal Grandfather: Unknown
Paternal Grandmother: Unknown

Maternal Grandfather: Deceased
Maternal Grandmother: Deceased

Sibling: Filipo Vitolio Paselio (15)
- *Consent and Waiver of Notice filed 3-6-12*

The petition does not state a reason for the guardianship; however, a document titled: "Parents' Inter Vivos Appointment of Guardian of Child" dated 3-19-2002 and notarized in the Territory of American Samoa is attached to the petition.

Court Investigator Dina Calvillo filed a report on 3-2-12.

NEEDS/PROBLEMS/COMMENTS:

1. **<u>Need consent and waiver of notice by Valelia (minor, age 13)</u> or proof of personal service of Notice of Hearing pursuant to Probate Code §1511(b)(1).**

2. **Petitioner requests the Court excuse notice to the father and paternal grandparents because the mother never released the identity of the father and he has never visited the child. Therefore, she has no way of locating the father and his parents.**

   ***<u>If diligence is not found</u>*, the Court may require notice pursuant to Probate Code §1511 or consent and waiver of notice or further diligence.**

Reviewed by: skc
Reviewed on: 3-9-12
Updates:
Recommendation:
File 14 - Paselio

Dept. 303, 9:00 a.m. Tuesday, March 20, 2012

15A Kassandra Viramontes (GUARD/P) **Case No. 12CEPR00072**

Atty Mesa, Martha Elena (pro per – maternal aunt/Petitioner)

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

Age: 12		
DOB: 04/27/99		
Cont. from		
	Aff.Sub.Wit.	
✓	**Verified**	
	Inventory	
	PTC	
	Not.Cred.	
	Notice of Hrg	x
	Aff.Mail	x
	Aff.Pub.	
	Sp.Ntc.	
	Pers.Serv.	n/a
✓	**Conf. Screen**	
✓	**Letters**	
✓	**Duties/Supp**	
	Objections	
	Video Receipt	
✓	**CI Report**	
	9202	
✓	**Order**	
	Aff. Posting	
	Status Rpt	
✓	**UCCJEA**	
	Citation	
	FTB Notice	

NO TEMPORARY REQUESTED

MARTHA MESA, maternal aunt, is Petitioner.

Father: **ANTONIO VIRAMONTES** – *deceased*

Mother: **EDITH RIVERA REYES –** *consent and waiver of notice filed 02/14/12*

Paternal grandparents: UNKNOWN – *declaration of due diligence filed 01/20/12*

Maternal grandfather: JOSE RIVERA – *consent and waiver of notice filed 02/14/12*
Maternal grandmother: DECEASED

Siblings: MANUEL VIRAMONTES, CARMEN DURON

Petitioner states that the minor lives with her and her mother lives in Mexico. Petitioner states that she cares for the minor as if she was her own daughter and would like to be her legal guardian to assure that she is given physical care and comfort, food, medical attention, housing, school, clothes, and similar needs.

Court Investigator Samantha Henson's report was filed 03/12/12.

NEEDS/PROBLEMS/COMMENTS:

1. **Declaration of Due Diligence filed 01/20/12 states that the father is deceased and his parents are unknown to the petitioner, if diligence is not found, need *Notice of Hearing* and proof of service by mail at least 15 days before the hearing of *Notice of Hearing* with a copy of the *Petition for Appointment of Guardian of the Person* or Consent and Waiver of Notice for:**
   - Paternal grandparents (unknown)

Reviewed by: JF	
Reviewed on: 03/09/12	
Updates: 03/13/12	
Recommendation:	
File 15A - Virmontes	

Dept. 303, 9:00 a.m. Tuesday, March 20, 2012

16 George Edward MacFaddin, Jr. (CONS/PE) Case No. 12CEPR00233
Atty Rindlisbacher, Curtis D.

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

Age: 63 years DOB: 8/15/1948		
Cont. from		
	Aff.Sub.Wit.	
✓	Verified	
	Inventory	
	PTC	
	Not.Cred.	
✓	Notice of Hrg	
✓	Aff.Mail	W/
	Aff.Pub.	
	Sp.Ntc.	
✓	Pers.Serv.	W/
✓	Conf. Screen	
✓	Letters	
✓	Duties/Supp	
	Objections	
	Video Receipt	
	CI Report	X
	9202	
✓	Order	
	Aff. Posting	
	Status Rpt	
	UCCJEA	
	Citation	
	FTB Notice	

GENERAL HEARING 4/18/2012

GRANT A. MACFADDIN, son, is petitioner and requests appointment as temporary conservator of the person only.

Petitioner states the proposed conservatee suffered a major stroke on 2/5/12. Authority is needed to make medical decisions.

Petitioner requests the authority to change the residence of the Conservatee to a skilled nursing facility to be chosen with the assistance of the social worker at Fresno Community Regional Medical Center.

NEEDS/PROBLEMS/COMMENTS:

Court Investigator Samantha Henson to provide:

1. **Advisement of Rights**
2. **Court Investigator's Report**

Note to Judge:

If the temporary is granted please insert the expiration date at #14 of the order.

Reviewed by: KT
Reviewed on: 3/15/12
Updates:
Recommendation:
File 16 - MacFaddin

Dept. 303, 9:00 a.m. Tuesday, March 20, 2012