

**(1) Second and Final Account and Report of Conservator and (2) Petition for Allowance of Compensation to Conservator and Attorney**

<b>DOD: 11/13/11</b>	<b>PUBLIC GUARDIAN</b> , Conservator, is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
	Final Account period: 10/02/07 – 11/13/11	
<b>Cont. from</b>	Accounting - <b>\$55,940.96</b>	
<input type="checkbox"/> <b>Aff.Sub.Wit.</b>	Beginning POH - <b>\$1,194.45</b>	
<input checked="" type="checkbox"/> <b>Verified</b>	Ending POH - <b>\$1,983.79</b>	
<input type="checkbox"/> <b>Inventory</b>		
<input type="checkbox"/> <b>PTC</b>	Subsequent to the Final Account period: 11/14/11 – 12/20/11	
<input type="checkbox"/> <b>Not.Cred.</b>		
<input checked="" type="checkbox"/> <b>Notice of Hrg</b>	Accounting - <b>\$5,221.13</b>	
<input checked="" type="checkbox"/> <b>Aff.Mail</b> w/	Beginning POH - <b>\$1,983.79</b>	
<input type="checkbox"/> <b>Aff.Pub.</b>	Ending POH - <b>\$3,263.44</b>	
<input type="checkbox"/> <b>Sp.Ntc.</b>	Conservator - <b>\$2,458.80</b> (17.30 Deputy hours @ \$96/hr. and 10.50 Staff hours @ \$76/hr.)	
<input type="checkbox"/> <b>Pers.Serv.</b>		
<input type="checkbox"/> <b>Conf. Screen</b>		
<input type="checkbox"/> <b>Letters</b>	Attorney - <b>\$1,500.00</b> (Less than allowed per Local Rule)	
<input type="checkbox"/> <b>Duties/Supp</b>		
<input type="checkbox"/> <b>Objections</b>		
<input type="checkbox"/> <b>Video Receipt</b>	Bond fee - <b>\$200.00 (OK)</b>	
<input type="checkbox"/> <b>CI Report</b>	Petitioner requests that due to the insufficiency of the estate to pay the fees and commissions that a lien be imposed upon the estate for any unpaid balances of the authorized fees and commissions.	
<input type="checkbox"/> <b>2620(c)</b> n/a		
<input type="checkbox"/> <b>Order</b>	<b>Petitioner prays for an Order:</b>	
<input type="checkbox"/> <b>Aff. Posting</b>	1. Approving, allowing and settling the second account.	
<input type="checkbox"/> <b>Status Rpt</b>	2. Authorizing the conservator and attorney fees and commissions;	
<input type="checkbox"/> <b>UCCJEA</b>	3. Authorizing payment of the bond fee;	
<input type="checkbox"/> <b>Citation</b>	4. Authorizing petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions.	
<input type="checkbox"/> <b>FTB Notice</b>		
		<b>Reviewed on:</b> 04/03/12
		<b>Updates:</b>
		<b>Recommendation:</b>
		<b>File 1 - Wolfe</b>

**(1) First Account and Report of Guardian; Petition for Settlement of Account; (2) Petition for Allowance of Fees to Attorneys for Guardian and for Reimbursement of Costs Advanced by Attorneys; (3) Petition to Dispense with Future Accountings (Prob. C. §2620)**

Age: 13 years DOB: 6/16/1998		VALERIE PEARCE, Guardian, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 11/19/07 – 1/31/12	<p><b>1. It appears that the funds in the guardianship estate, with an ending balance of \$877,470.80 are held in one bank. It appears that this amount is over the FDIC limits of \$250,000.00. Court may require the funds to be placed into more than one bank with each account under the amount that is federally insured.</b></p> <p><b>2. Need bank statements pursuant to Probate Code §2620.</b></p>
Cont. from		Accounting - <b>\$1,134,854.04</b>	
Aff.Sub.Wit.		Beginning POH- <b>\$1,134,781.70</b>	
✓ Verified		Ending POH - <b>\$ 877,470.80</b>	
✓ Inventory		Guardian - <b>waives</b>	
✓ PTC		Attorney - <b>\$10,940.00</b>	
Not.Cred.		(Per itemization for 48.63 hrs @ \$225/hr)	
✓ Notice of Hrg		Costs - <b>\$1,717.78</b>	
✓ Aff.Mail	W/	(filing fees, probate referee)	
Aff.Pub.		Petitioner states that pursuant to order of the court all funds of the guardianship estate are held in a blocked account. Because all funds are held in a blocked account Petitioner request that she be excused from the filing of future accountings, at least until the final accounting when the ward reaches age 18.	
Sp.Ntc.		<b>Petitioner prays for an order:</b>	
Pers.Serv.		1. Approving, allowing and settling the first account and report;	
Conf. Screen		2. Authorizing Petitioner to pay attorney fees in the sum of \$10,940.00;	
Letters		3. Authorizing Petitioner to pay reimbursement for costs advanced in the sum of \$1,717.78;	
Duties/Supp		4. The Court excuse Petitioner from future accountings until such time as the final account and report when the ward attains the age of 18.	
Objections			
Video Receipt			
CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: KT
			Reviewed on: 4/4/12
			Updates:
			Recommendation:
			File 2A - Gardner

**Petition for Withdrawal of Funds from Blocked Account**

Age: 13 years DOB: 6/16/1998	<p><b>VALERIE PEARCE</b>, Guardian, is petitioner.</p> <p><b>Petitioner requests</b> the Court allow withdrawal of funds from the blocked account to pay Court ordered attorney fees in the sum of \$10,940.00 and costs in the sum of \$1,717.78.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><u>Note:</u> This petition is contingent on the court granting the petition on page 2A.</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 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: KT	
		Reviewed on: 4/4/12	
		Updates:	
		Recommendation:	
		File 2B - Gardner	

Atty Kruthers, Heather H (for Petitioner/Administrator Public Administrator)

(1) First and Final Account and Report of Successor and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and for (3) Distribution

DOD: 5/22/2002		<p><b>PUBLIC ADMINISTRATOR,</b> Administrator With Will Annexed, is petitioner.</p> <p>Account period: 11/2/10 – 8/31/11</p> <p>Accounting - <b>\$132,000.00</b> Beginning POH - <b>\$132,000.00</b> Ending POH - <b>\$ 68,978.63</b></p> <p>Administrator - <b>\$3,092.00</b> (statutory) Administrator x/o - <b>\$2,248.00</b> (per Local Rule for sale of 2 parcels of real property and tax preparation)</p> <p>Attorney - <b>\$3,092.00</b> (statutory)</p> <p>Bond Fee - <b>\$247.50</b> (o.k.)</p> <p>Court fees - <b>\$51.00</b></p> <p><b>Distribution, pursuant to Decedent's Will is to:</b></p> <p><b>Sandra Salinas</b> - \$14,963.29 <b>Teresa Pimentel</b> - \$14,963.29 <b>Susan E. Pantoja</b> - \$14,963.29 <b>Michael A. Gomes, Jr. (minor)</b> \$14,963.29 to be placed into a blocked account until the minor reaches the age of 18.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>	
Cont. from				
✓	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
✓	Sp.Ntc.			W/
	Pers.Serv.			
	Conf. Screen			
✓	Letters			11/16/10
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			
		<p>Reviewed by: KT</p> <p>Reviewed on: 4/4/12</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 - Rosales</p>		

(1) First Account Current and Report of Conservator and (2) Petition for its Settlement

Age: 84	KA'REN VARTAN KETENDJIAN, Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
DOB: 11-7-27		
	Account period: 1-1-10 through 12-31-11	<b>1. Need amended accounting along with account statements pursuant to Probate Code §2620.</b>
	Accounting: \$406,725.33	<i>This accounting is based on the values provided in the original appraisals filed 6-9-10 and 2-24-12, which did not reflect values provided by the Probate Referee.</i>
Aff.Sub.Wit.	Beginning POH: \$398,380.54	<i>Petitioner has since filed an Amended Final Inventory and Appraisal; however, because the values of the assets are different, there are discrepancies in the accounting figures. For example, the Beginning Property on Hand amount has changed from \$398,380.54 to \$362,510.46.</i>
✓ Verified	Ending POH: \$299,362.18	<i>Also, Petitioner states account statements were filed; however, Court records do not reflect filing.</i>
Inventory	Conservator: Waives compensation (Conservator has spent over 730 hours and visits the Conservatee at least once per day to make sure she is receiving proper care.)	<b>For the amended accounting, please also note the following issues for Probate Conservatorship Accountings (See Probate Code §§ 2620 and 1060 and Cal. Rule of Court 7.575):</b>
PTC		<ul style="list-style-type: none"> <li>- The summary and schedules are not prepared on the mandatory Judicial Council forms (GC-400, etc.).</li> <li>- Notice of Hearing (<u>mandatory</u> Judicial Council Form GC-020) and proof of service of Notice of Hearing on Rose Ketendjian (Conservatee) at least 15 days prior to the hearing is required pursuant to Probate Code §§ 2621 and 1460.</li> </ul>
Not.Cred.	<b>Petitioner prays for an Order:</b> 1. Approving and settling the account; 2. Approving the acts of the Conservator; and 3. For such other and further relief as it deems just and proper.	<i>Note: A "proof of service" is attached to the filed petition; however, it indicates that a copy of the petition was served on Conservatee's relatives, but not the Conservatee, before it was filed, which means that the hearing date was not yet assigned when it was served.</i>
Notice of Hrg X		<i>The "Notice of Hearing" Form GC-020 is the mandatory form in probate proceedings because it contains mandatory language pursuant to Probate Code §1211.</i>
Aff.Mail X		Reviewed by: skc
Aff.Pub.		Reviewed on: 4-4-12
Sp.Ntc.		Updates:
Pers.Serv.		Recommendation:
Conf. Screen		File 4 – Ketendjian
✓ Letters		
Duties/Supp		
Objections		
Video Receipt		
✓ CI Report		
9202		
Order X		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		





**(1) First and Final Account and Report of Administrator and (2) Petition for Allowance of Ordinary and Extraordinary Commissions and Fees and for (3) Distribution**

<b>DOD: 6-3-10</b>		<b>PUBLIC ADMINISTRATOR</b> is Petitioner.	<b>NEEDS/PROBLEMS/COMMENTS:</b>
		Account period: 12-3-10 through 11-29-11	
		Accounting: \$175,949.95	
		Beginning POH: \$172,387.44	
		Ending POH: \$115,426.53	
<input type="checkbox"/>	<b>Aff.Sub.Wit.</b>		
<input checked="" type="checkbox"/>	<b>Verified</b>		
<input checked="" type="checkbox"/>	<b>Inventory</b>		
<input checked="" type="checkbox"/>	<b>PTC</b>	Public Administrator (Statutory): \$6,233.50	
<input checked="" type="checkbox"/>	<b>Not.Cred.</b>	Public Administrator (Extraordinary): \$1,660.38	
<input checked="" type="checkbox"/>	<b>Notice of Hrg</b>	(\$1,000.00 for the sale of the residence plus \$412.38 for the sale of personal property per Local Rule plus \$248.00 for preparation of the fiduciary tax returns – 1 Deputy hour@ \$96/hr plus 2 staff hours @ \$76/hr)	
<input checked="" type="checkbox"/>	<b>Aff.Mail</b>	W	
	<b>Aff.Pub.</b>		
	<b>Sp.Ntc.</b>		
	<b>Pers.Serv.</b>		
	<b>Conf. Screen</b>	Attorney: \$6,233.50	
<input checked="" type="checkbox"/>	<b>Letters</b>	1-3-11	
	<b>Duties/Supp</b>	Bond fee: \$439.87 (ok)	
	<b>Objections</b>	Costs: \$446 (filing plus certified letters)	
	<b>Video Receipt</b>	Closing: \$1,500.00	
	<b>CI Report</b>		
<input checked="" type="checkbox"/>	<b>9202</b>	<b>Distribution pursuant to intestate succession:</b>	
<input checked="" type="checkbox"/>	<b>Order</b>	Eleanor Loya - \$16,485.55	
	<b>Aff. Posting</b>	Olga Martinez - \$16,485.55	
	<b>Status Rpt</b>	Ray Martinez - \$16,485.55	
	<b>UCCJEA</b>	Armida Lugo - \$16,485.55	
	<b>Citation</b>	Gabriel Martinez - \$8,242.77	
<input checked="" type="checkbox"/>	<b>FTB Notice</b>	Richard Martinez - \$8,242.77	
		Keith Lopez - \$8,242.77	
		Joe Lopez - \$8,242.77	
			<b>Reviewed by:</b> skc
			<b>Reviewed on:</b> 4-4-12
			<b>Updates:</b>
			<b>Recommendation:</b>
			<b>File 7 - Martinez</b>

**(1) Report of Executor and Petition for its Settlement, for (2) Allowance of Statutory and Extraordinary Fees and Costs, and for (3) Final Distribution**

<b>DOD: 12/18/2010</b>		<p><b>JAN HUGENROTH</b>, Executor, is petitioner.</p> <p>Accounting is waived.</p> <p>I &amp; A - <b>\$2,686,378.38</b></p> <p>Executor - <b>waives</b></p> <p>Attorney - <b>\$39,863.79</b> (statutory, payable \$5,000 to L. Clark Roundtree and \$34,863.78 to Helon &amp; Manfredo)</p> <p>Attorney x/o - <b>\$45,301.46</b> (per itemization and declaration, 64.49 hours @ \$250/hr. for Will Contest and 105.59 hours @ \$250/hr. for Contested 850 Petition.)</p> <p><b>Distribution, pursuant to Decedent's Will and assignment of interest, is to:</b></p> <p><b>Amy Kovacevich &amp; Gordon Kovacevich</b> - \$100,000 (jointly)</p> <p><b>Tom Radanovich</b> - real property and its contents, 4 wheel ATV, 1993 Chevy Blazer and \$100,000.00</p> <p><b>Laurie Poppe</b> - \$50,000.00</p> <p><b>Jan Hugenroth</b> - the rest and residue.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p>	
<b>Cont. from</b>				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input checked="" type="checkbox"/>	PTC			
<input checked="" type="checkbox"/>	Not.Cred.			
<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 checked="" type="checkbox"/>	Letters			6/2/2011
<input type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input checked="" 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 checked="" type="checkbox"/>	FTB Notice			
				<p><b>Reviewed by: KT</b></p> <p><b>Reviewed on: 4/4/12</b></p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p><b>File 8 - Billings</b></p>

First and Final Account and Report of Trustee; Petition for Allowance of Trustee and Attorney; Final Distribution

		<b>PUBLIC ADMINISTRATOR,</b>	<b>NEEDS/PROBLEMS/COMMENTS:</b>  1. Terms of the Trust provide that if any beneficiary is under the age of 25, the trustee shall hold and administer the beneficiary's portion of the trust estate for his or her benefit. Petition does not indicate that all beneficiaries are over the age of 25.
		Trustee, is petitioner.	
		Account period: 6/23/11 – 1/5/12	
Cont. from			
	Aff.Sub.Wit.	Accounting - \$70,000.00	
✓	Verified	Beginning POH - \$70,000.00	
	Inventory	Ending POH - \$57,559.93	
	PTC		
	Not.Cred.	Trustee - \$2,520.00	
✓	Notice of Hrg	(statutory)	
		Trustee x/o - \$1,248.00	
✓	Aff.Mail	(per Local Rule for sale of real property and preparation of taxes)	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	Attorney - \$2,520.00	
	Conf. Screen	(statutory)	
	Letters		
	Duties/Supp	Bond - \$87.50	
	Objections	(o.k.)	
	Video Receipt	Court fees - \$395.00	
	CI Report		
	9202	<b>Distribution, pursuant to the terms of the Trust, is to:</b>	
✓	Order		
	Aff. Posting		
	Status Rpt	Kathryn Bowen - \$12,598.60	
	UCCJEA	Shane Bowen - \$12,598.60	
	Citation	Melissa Bowen - \$12,598.60	
	FTB Notice	Justin Bowen - \$12,598.60	
			Reviewed by: KT
			Reviewed on: 4/4/12
			Updates:
			Recommendation:
			File 9 - Parks



Atty Hurlbutt, James P., sole practitioner of Visalia (for Petitioner Brian D. Rodrigues)  
 Atty Blevins, Sue (Pro Per – Granddaughter – Objector)

Petition for Appointment of Probate Conservator of the Estate (Prob. C. 1820, 1821, 2680-2682)

Age: 91 DOB: 4-26-20	<b>NO TEMPORARY REQUESTED</b>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>Minute Order 2-22-12:</b> The Court orders the appointment of counsel to represent Rosie Marie Rodrigues. The Court continues the matter to 4-11-12.</p> <p><i>Attorney Gary Bagdasarian was appointed to represent the Rosie Marie Rodrigues on 2-23-12; however, nothing has been filed by Attorney Bagdasarian.</i></p> <p><b>Note:</b> Page 8B is a Request for Order of Substituted Judgment pursuant to Probate Code §2580.</p> <p>1. Petitioner states he is a creditor of the proposed Conservatee at #3.b.(1). Sue Blevins' Objection states that Petitioner loaned money to the proposed Conservatee's trust and holds a deed on the real property, and is charging interest. The Court may require clarification.</p> <hr/> <p><b>Reviewed by:</b> skc</p> <hr/> <p><b>Reviewed on:</b> 4-4-12</p> <hr/> <p><b>Updates:</b></p> <hr/> <p><b>Recommendation:</b></p> <p><b>File 11A – Rodrigues</b></p>
	<b>BRIAN D. RODRIGUES</b> , Grandson, is Petitioner and requests appointment as Conservator of the Estate with powers under Probate Code §2590 and additional specific powers without bond.	
Cont. from 020212, 022212	<b>Estimated Value of the Estate:</b>	
Aff.Sub.Wit.	Social Security: \$ 17,196.00	
✓ Verified	<b>Assets held in trust:</b>	
Inventory	Personal Property: \$ 2,282.42	
PTC	Annual Income: \$ 2,400.00	
Not.Cred.	Real Property: \$1,625,000.00	
✓ Notice of Hrg	<b>Petitioner states the proposed conservatee has dementia and is unable to manage her financial and real property resources. Petitioner requests appointment without bond because the conservatorship is requested for the sole purpose of resolving estate and Medi-Cal planning issues by obtaining approval from the Court for substituted judgment under Probate Code §2580 to amend certain portions of the Frank V. Rodrigues and Rosie Marie Rodrigues Living Trust Dated 2-25-06.</b>	
✓ Aff.Mail W	If the Court grants the Request for Order of Substituted Judgment (Page 8B), there will be no assets to be distributed to the proposed conservatee and no need for any continuing conservatorship of the estate. Petitioner is the Attorney-In-Fact of the proposed conservatee and the designated Successor Trustee of the trust, and does not need authority as conservator of the estate for the ongoing management of the assets. He will not be marshaling any assets nor will he be named as payee for Social Security or the minimal rent payments, which both total under \$2,000.00/month; therefore, there will be no need for conservatorship accounting and the conservatorship estate will be exempt from accounting under Probate Code §2628.	
Aff.Pub.	Petitioner states it may be necessary to negotiate and settle accounts on behalf of the proposed conservatee and requests the power under Probate Code §2591(p) to pay, collect, compromise, arbitrate, or otherwise adjust claims, debts, or demands upon the conservatorship.	
Sp.Ntc.	<b>Petitioner requests authority as follows:</b>	
✓ Pers.Serv. W		
✓ Conf. Screen		
✓ Letters		
✓ Duties/Supp		
✓ Objections		
✓ Video Receipt		
✓ CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
✓ Citation W		
FTB Notice		
	<b>SEE PAGE 2</b>	

**SUMMARY (Continued):****Petitioner requests authority as follows:**

- To release and quitclaim any right to any distribution of principal from the trust that is now irrevocable so as to prevent any recovery by the California Department of Health Services – Medi-Cal Recovery Section upon the death of the proposed conservatee for any and all Medi-Cal benefits paid to her or applied for her benefit. The principal consisting of an undivided one-half interest in three parcels of real property will remain in the irrevocable portion of the trust, undistributed, until her death and only then will the principal be distributed to the remainder beneficiaries. The proposed conservatee will retain a lifetime right to occupy the real property without rent.
- To modify the portion of the trust that is still revocable by the proposed conservatee and the authority to transfer an undivided one-half interest in three parcels of real property now held in the revocable portion of the trust to the respective residual beneficiaries named in the trust, while retaining a life estate interest in favor of the proposed conservatee as to an undivided one-half interest in the three parcels. This will ensure that the three parcels will not be the subject of a Medi-Cal recovery claim by DHS upon her death.

**Petitioner provides a list of the parcels and the proposed distribution:**

- 2750 S. Riverbend in Sanger (APN 333-111-27S) would be distributed to **BRIAN D. RODRIGUES** and **WENDY THOMPSON**, the surviving issue of **ERNEST DANIEL RODRIGUES**, Trustors' deceased son, and **ROSIE MARIE LANGFORD**, Trustors' living daughter, per prior agreement. A lot line adjustment must be completed and recorded to divide the property into two separate parcels.
- 2750 S. Riverbend in Sanger (APN 333-111-29S) would be distributed to **BRIAN D. RODRIGUES**.
- 750 S. Riverbend in Sanger (APN 333-111-32S) would be distributed in equal shares to **BRIAN D. RODRIGUES** and **WENDY THOMPSON** (as the surviving issue of **ERNEST DANIEL RODRIGUES**).

**Petitioner states** he is the proposed conservatee's grandson and closest living relative, and she has relied on him for many years concerning both her financial and healthcare needs. He has monitored the level of care and facilitated the payments to Golden Living Center, where she currently resides, and has provided personal items, beauty items, and comfort items on a routine basis when she has been unable to manage her own shopping. There is a reliable level of dependency and trust established between them. The proposed conservatee executed a Durable Power of Attorney for Management of Property and Personal Affairs on 4-4-08 in which she designated Petitioner as Attorney-In-Fact and nominates him as conservator of her estate.

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**SUE BLEVINS, Granddaughter, filed an Objection on 2-16-12.** Objector states she is objecting on behalf of herself, Rose Marie Thompson (Mrs. Rodrigues' daughter), Evelyn Souza (Mrs. Rodrigues' sister), and Joann Lewis (Mrs. Rodrigues' granddaughter). Objector states Petitioner has already manipulated funds and property for his own benefit.

The objections focus on Brian's management of the proposed conservatee's health, well-being, and estate, and provide examples of incidents that feel are inappropriate, such as moving her to a different facility, selling her belongings, etc. The objections also bring up numerous questions regarding Petitioner's management of her estate/trust.

***Examiner notes that the Court cannot address trust issues within the Conservatorship case.***

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**SEE PAGE 3**

**Atty Hurlbutt, James P., sole practitioner of Visalia (for Petitioner Brian D. Rodrigues)****Petition for Appointment of Probate Conservator of the Estate (Prob. C. 1820, 1821, 2680-2682)****SUMMARY (Continued):**

**Court Investigator Jennifer L. Daniel filed a report on 1-25-12. The report states that conservatorship of the estate does not appear necessary or in Mrs. Rodrigues' best interest. It appears the petition has been filed to benefit Ms. Rodrigues' potential beneficiaries once she passes away and not Ms. Rodrigues herself. Therefore, it is recommended that the Petition be DENIED.**

The report states the Investigator visited Mrs. Rodrigues at Golden Living Center. Mrs. Rodrigues was first admitted to Golden Living Center in Sanger in March 2008. She lived briefly at a board and care home, but returned to Golden Living Center in February 2009 and has lived there since then. Mrs. Rodrigues did not appear to understand the conversation, but did appear dressed and groomed appropriately. Staff reported that when she was first there, she was alert, vibrant, walked independently and was private pay. At this time, she is primarily non-verbal, uses a wheelchair, and has been on Medi-Cal since 6-1-10. Staff reports Mrs. Rodrigues was still alert when Medi-Cal was implemented and she did not want to be on Medi-Cal. Staff questioned why Petitioner put her on Medi-Cal instead of selling her home to pay for her care.

Staff reported that her only personal items at the facility are items donated by the community at Christmas time. Her clothing is "okay" for now, but she could use some new items. Staff reported that she used to get her hair set weekly, but also reported that there is not a \$35.00/month trust account set up at the facility for her personal needs as stated in the Petition and that money is no longer provided for this service (\$12.50/week). Staff feels this would lift her spirits.

The Investigator spoke with Petitioner, who stated that he is pursuing conservatorship to "take care of everything that needs to be done" and then plans to have the conservatorship terminated. He reported that his aunt, **ROSE MARIE LANGFORD**, (the proposed conservatee's daughter) is upset about the conservatorship petition and may contest it. He reported that he does not have a phone number for his aunt. The Investigator sent a letter, but has not heard back, and was not able to locate a phone number for Ms. Langford.

According to Petitioner, his grandmother's money was spent for her care. So far, she had paid approx. \$100,000.00 to the facility, and that depleted her funds, making her eligible for Medi-Cal. She and her late husband had done estate planning by doing their living trusts and nominating him as Attorney-In-Fact, and he is only doing what they wanted by following their wishes and what the trust stated.

		<p><b>BRIAN D. RODRIGUES</b>, Grandson, is Petitioner and requests authorization to take the following actions in his capacity as Conservator of the Estate (Petition filed concurrently is Page 8A):</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><i>Examiner notes that if the Conservatorship Petition (Page 8A) is denied, this Petition cannot go forward. If the parties wish to file a petition to resolve issues regarding the trust (such as the issues raised in the objections), that must be done in a separate case via separate petition.</i></p> <p><b>Minute Order 2-22-12:</b> The Court orders the appointment of counsel to represent Rosie Marie Rodrigues. The Court continues the matter to 4-11-12.</p> <p><i>Attorney Gary Bagdasarian was appointed to represent the Rosie Marie Rodrigues on 2-23-12; however, nothing has been filed by Attorney Bagdasarian.</i></p> <p><b>Note:</b> Notice of Hearing was mailed to the California Dept. of Health Services – Medi-Cal Recovery Section on 3-5-12. Examiner notes that a copy of the Petition was <u>not</u> included with the Notice of Hearing.</p>
<p>Cont. from 022212</p>			
<input type="checkbox"/>	Aff.Sub.Wit.	<p>1. The authority to release and quitclaim any right to any distribution of principal from that portion of the <b>FRANK V. RODRIGUES AND ROSIE MARIE RODRIGUES LIVING TRUST DATED 2-25-06</b>, which is now <i>irrevocable</i>, so as to prevent any recovery by the California Department of Health Services Medi-Cal Recovery Section upon the death of <b>ROSE MARIE RODRIGUES</b> for any and all Medi-Cal benefits paid to her or applied for her benefit.</p> <p>The principal, consisting of an undivided one-half interest in three parcels of real property will remain in the irrevocable portion of the trust, undistributed, until her death and only then will the principal be distributed to the remainder beneficiaries. <b>ROSIE MARIE RODRIGUES</b> will retain a lifetime right to occupy the real property without payment of rent.</p>	<p>1. If this matter goes forward, a separate trust case should be opened and appropriate notice given with regard to addressing objections, etc., pursuant to Probate Code §17000, et seq.</p>
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory	<p>2. The authority to modify that portion of the trust that is still revocable and to transfer the undivided one-half interest in three parcels of real property now held in the <i>revocable</i> portion of the trust to the respective residual beneficiaries named in the trust, while retaining a life estate interest in favor of <b>ROSIE MARIE RODRIGUES</b>.</p> <p>Petitioner states Probate Code §2580 is the applicable law authorizing such action, and refers the Court to Probate Code §§ 2580(a), 2580(b)(1), (2), (3), (10), and (11). Petitioner states the Law Revision Commission Comments specifically note that the listings of types of action which may be proposed are “nonexclusive.”</p> <p>Petitioner provides factual background and specifics as follows:</p>	<p>2. Petitioner states he is a creditor of the proposed conservatee at #3.b.(1) of the Conservatorship petition. Sue Blevins’ Objection states that Petitioner loaned money to the proposed conservatee’s trust and holds a deed on the real property, and is charging interest. Petitioner references this transaction with regard to the eligibility of the third parcel for this action. The Court may require clarification.</p>
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.	<p>Petitioner provides factual background and specifics as follows:</p>	<p><b>Reviewed by:</b> skc</p> <p><b>Reviewed on:</b> 2-21-12, 4-4-12</p> <p><b>Updates:</b></p> <p><b>Recommendation:</b></p> <p>File 11B - Rodrigues</p>
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" 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 checked="" type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input 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		

SEE PAGE 2

**SUMMARY (Continued):**

**Petitioner states** he is the sole Successor Trustee, as Trustor Frank Rodrigues died 12-17-07 and Rosie Marie Rodrigues subsequently became incapacitated. The trust contains three parcels of real property which are to be distributed upon the death of Rosie Marie Rodrigues as follows:

- 2750 S. Riverbend in Sanger (APN 333-111-27S) would be distributed to **BRIAN D. RODRIGUES** and **WENDY THOMPSON**, the surviving issue of **ERNEST DANIEL RODRIGUES**, Trustors' deceased son, and **ROSIE MARIE LANGFORD**, Trustors' living daughter, per prior agreement. A lot line adjustment must be completed and recorded to divide the property into two separate parcels.
- 2750 S. Riverbend in Sanger (APN 333-111-29S) would be distributed to **BRIAN D. RODRIGUES**.
- 750 S. Riverbend in Sanger (APN 333-111-32S) would be distributed in equal shares to **BRIAN D. RODRIGUES** and **WENDY THOMPSON** (as the surviving issue of **ERNEST DANIEL RODRIGUES**).

**Petitioner states that in the event of a Medi-Cal recovery claim**, the successor trustee would be faced with a dilemma: to sell certain parcels, but not all parcels, to pay such claim. This would affect the beneficiaries, since the successor trustee would have to decide whose parcels to sell. (The certain parcels are otherwise to be distributed specifically to certain beneficiaries.) This action would defeat the clear intent of Rosie Marie Rodrigues and her predeceased husband that each parcel be distributed pursuant to their plan.

Petitioner states the unintended result is not inevitable. Under current regulations, no Medi-Cal recovery is allowed against a life estate. Therefore, if the proposed conservatee's interest is reduced to a life estate only, she would continue to enjoy all rents and profits for her lifetime, she would retain the legal right to return to her personal residence, and in the event of sale, she would be entitled to outright distribution commensurate with the present value of her life estate, and there would be no Medi-Cal recovery after her death.

**Therefore, Petitioner requests authority as to the conservator of the estate [if granted at Page 8A] to modify the revocable portion of the trust to transfer title ownership of an undivided one-half interest in the three parcels to the trust remainder beneficiaries while retaining a life interest for the proposed conservatee.**

**Petitioner also requests authority as conservator of the estate [if granted at Page 8A] to quitclaim and release any rights of the proposed conservatee to the principal of the irrevocable trust and to retain on her behalf only the lifetime right to income generated and to occupy the premises without rent. Such lifetime right would be held on her behalf by the successor trustee and would not be subject to Medi-Cal recovery on her death. The principal of the irrevocable portion of the trust would not be distributed until after her death.**

**Petitioner provides authority including:**

- California Elder Law Resources, Benefits and Planning, An Advocates Guide, June 2008 update, a publication of the California Continuing Education of the Bar, authored collectively by ten authors, all of whom are recognized authorities in the State of California with respect to Medi-Cal eligibility and recovery. (Information provided.)
- California Welfare and Institutions Code Section 14006.7, which requires the department of health services to advise regarding right to transfer ownership of her exempt home. (Information provided.)
- Senate Bill 1633, which enacted California Welfare and Institutions Code Section 14006.7, and DHCS Form 7077, which specifically advises the Medi-Cal applicant that the transfer of the applicant's home will not cause ineligibility for benefits, if, at the time of the transfer, the home would have been considered an exempt resource. (Information provided.)

**SEE PAGE 3**

Atty Hurlbutt, James P., sole practitioner of Visalia (for Petitioner Brian D. Rodrigues)  
Atty Blevins, Sue (Pro Per – Granddaughter – Objector)  
Request for Order of Substituted Judgment Pursuant to Probate Code Section  
2580, et seq.

**SUMMARY (Continued):**

Petitioner states two of the three parcels can be treated as the exempt home of the proposed conservatee under the provisions of W&I 14006(c) and 22 California Code of Regulations Section 50425(a), as set forth in Section II of these Points and Authorities. As to the third parcel, which is not treated as her exempt home, the transfer of title will have no adverse consequences to her continuing Medi-Cal eligibility. The value of the parcel for Medi-Cal purposes is zero, because its assessed valuation for property tax purposes (\$7,152.00) is less than the current balance of unpaid encumbrances (\$8,000.00). Accordingly, Medi-Cal will consider this transfer as a gift of zero value which does not impact her continued benefits.

Petitioner states that under the standards set forth in Probate Code §2580, et seq., the Court should authorize the proposed transactions because the conservatee, acting as a reasonably prudent person, would most likely take the actions proposed herein. Petitioner references *Conservatorship of Hart* (1991) 228 Cal. App. 3d 1244, 1251 [279 Cal. Rptr. 249] and states that the Court made specific points (see pleading) including:

- The objective prudent person standard does not require that a court find the incompetent person would have acted as proposed.
- Probate Code §2580(j) requires consideration of tax laws and other laws which would likely have motivated the conservatee to alter his or her estate plan.

Even if the proposed conservatee previously expressed a clear intent concerning this specific proposed transaction one way or the other, the Court must still make an independent objective determination as to whether or not she, acting as a reasonably prudent person, would take the proposed actions herself now.

The Court should understand that the proposed conservatee has already effectively lost the support of and access to any principal of the trust and cannot access this principal and retain Medi-Cal benefits at the same time.

The Court should also understand that any loss of income from the trust does not impact the proposed conservatee's financial situation in any material way. Her level of care would not be affected at all as a result of this obvious choice.

Petitioner provides the full text of Probate Code §2583 (Proposed actions by court; relevant circumstances) and requests that for the reasons provided, Petitioner in his capacity as Conservator of the Estate of Rosie Marie Rodrigues, Conservatee, to take and/or consent to the following actions:

- The authority to release and quitclaim on her behalf any right to distribution of principal from the irrevocable portion of the trust to prevent any recovery by DHS. Such principal would remain in the trust until after her death and only then would be distributed to the remainder beneficiaries.
- The authority to modify the revocable portion and transfer an undivided one-half interest in each of the three parcels to the specific residual beneficiaries.
- The specific authority to take such action described in the petition with regard to each parcel.

**SEE PAGE 4**

**SUE BLEVINS, Granddaughter, filed an Objection on 2-16-12.** Objector states she is objecting on behalf of herself, Rose Marie Thompson (Mrs. Rodrigues' daughter), Evelyn Souza (Mrs. Rodrigues' sister), and Joann Lewis (Mrs. Rodrigues' granddaughter). Objector states Petitioner has already manipulated funds and property for his own benefit.

The objections focus on Brian's management of the proposed conservatee's health, well-being, and estate, and provide examples of incidents that feel are inappropriate, such as moving her to a different facility, selling her belongings, etc. The objections also bring up numerous questions regarding Petitioner's management of her estate/trust.

**Examiner notes that the Court cannot address trust issues within the Conservatorship case. If the conservatorship (Page 8A) is granted and this matter goes forward, a new trust file must be opened.**

***Examiner further notes that the Court may wish to address the fee waiver granted to Objector Sue Blevins with reference to the three additional individual objections attached. Examiner notes that the three attached objections appear to be individual objections, rather than simply letters in support of Ms. Blevins' objection, and as such, may be subject to fee for consideration.***

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**Petitioner filed a Supplement to Points and Authorities in Further Support of Request for Order of Substituted Judgment under Probate Code §2580, et seq.**

Petitioner states that if the Court determines that the proposed conservatee, acting as a reasonably prudent person, would herself take the actions proposed, then the Court should grant the Petition for Appointment of Conservator and direct the conservator to take the proposed action on behalf of the proposed conservatee.

Petitioner addresses the Court Investigator's recommendation that the Petition for Appointment of Conservator be denied, and states that this "simply ignores the fact that the court is authorized under Probate Code Section 2580 to direct a court appointed Conservator to take certain actions with respect to assets of the conservatorship, including the gifting or transfer of conservatorship assets, if the court is satisfied that the proposed conservatee, acting as a reasonably prudent person, would herself make the transfers.

Petitioner states the correct inquiry is not whether the petition has been filed to benefit the proposed conservatee personally; the correct inquiry is whether she would herself make the proposed transfers under the circumstances presented. Petitioner presents "undeniable" facts and circumstances that compel the conclusion that she would:

- Mrs. Rodrigues' estate planning documents expressly distributes certain properties to certain specified family members. These wishes would be frustrated if the real property were subject to a recovery claim on her death. The proposed action does benefit her in that it honors her express estate-planning wishes.
- The subject property does not provide her with any practical benefit during her lifetime, so if she loses receipt of any income from the real property, Medi-Cal will nevertheless continue to cover her expenses at the facility.
- The only party who would benefit from the sale of the real property during her lifetime is the facility where she resides, because if she lost Medi-Cal eligibility, they could then charge the applicable private pay rate until funds are exhausted, and she would then be covered again. Angel Torres conveniently ignores the fact that her residence and adjacent parcels are considered exempt assets and do not disqualify her, and they do not have to be sold. If Angel Torres meant to imply that she is receiving inferior care because she is a Medi-Cal recipient, then Angel Torres should be advised that it is unlawful for a skilled nursing facility to discriminate in this way.
- Medi-Cal rules and regulations specifically require DHS to inform the proposed conservatee that she has the absolute right to take the very action proposed here. This action is not unlawful; it is not against public policy; it is affirmatively allowed under existing rules and regulations.

**Petitioner states that any suggestion that he has not been attentive to the needs of the conservatee are erroneous. Petitioner responds to certain allegations noted in the Investigator's report and states he has arranged for her to have her hair done twice per month, as that is all she can afford; however, the facility has refused to set her appointments. Further, Petitioner has never been advised that she was in need of any items, and notes that she has many personal items at the facility. Petitioner believes Angel Torres is mistaken.**

Consideration of Dementia Powers

Age: 83		NEEDS/PROBLEMS/COMMENTS:
DOB: 5-10-28		
Cont. from 031412		
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: skc	
	Reviewed on: 4-3-12	
	Updates:	
	Recommendation:	
	File 12 - Sager	

**OFF CALENDAR**

Declaration of Physician Regarding Capacity Declaration and Amended Order Appointing Conservator were filed 3-27-12 and amended Letters were filed 4-3-12.



**14A Alyssa Ortiz, Alfredo Leon, Jaylen Ortiz and Agustin Leon (GUARD/P)**

**Case No. 12CEPR00145**

**Atty Garcia, Elsa (pro per Petitioner/Paternal aunt)**

**Petition for Appointment of Guardian of the Person (Prob. C. 1510) – Guadalupe Garcia Villagomez**

Alyssa age: 9 years DOB: 8/24/2006		<p style="text-align: center;"><b>THERE IS NO TEMPORARY. Temporary was denied.</b></p> <p><b>ELSA GARCIA</b>, paternal aunt, is petitioner.</p> <p>Father: <b>JOSE AGUSTIN LEON</b> – <i>consents and waives notice.</i></p> <p>Mother: <b>ROSEANNA ORTIZ</b> – <i>personally served on 2/27/12.</i></p> <p>Paternal grandfather: Agustin Leon                  Paternal grandmother: Petra Garcia Aumada                  Maternal grandfather: Deceased                  Maternal grandmother: Irene Orona – <i>served on 2/21/12.</i></p> <p><b>Petitioner states</b> the mother is not a fit parent. When the mother was arrested on 2/3/12 Petitioner picked up the children. At the time the home where they were living was dirty and there was no food in the refrigerator.</p> <p><b>Court Investigator Charlotte Bien’s Report filed on 3/29/12.</b> CI states she traveled to the home where the grandmother was staying with the minors. The minor was there in the care of the homeowner who stated the grandmother, Irene Orona was in Dinuba. The Petitioner states attempted to see the minors on the weekend of 3/24/12, and the the minors were in the care of the homeowner Delia Garcia. The grandmother was reportedly nto there, and neither was the mother. There are concerns voiced by the petitioner that the minors have neither parent in their lives to guide them. Petitioner has a stable home in Orange Cove where the two minors can continue to attend the same schools and have contact with their mother and her family. It appears to be in the best interest of the minors that the Petitioner be appointed as their guardian. It is therefore recommended that the guardianship be <b>GRANTED.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>This petition is as to ALYSSA and ALFRED only.</b></p> <p><b>1. 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:</b></p> <p><b>a. Agustin Leon (paternal grandfather)</b></p> <p><b>b. Petra Aumada (paternal grandmother)</b></p>	
Alfred age: 5 years DOB: 2/11/2003				
Jaylen age: 3 years DOB: 5/11/2008				
Agustin age: 2 years DOB: 5/19/2009				
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			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: KT		
		Reviewed on: 4/5/12		
		Updates:		
		Recommendation:		
		File 14A – Ortiz & Leon		

**14B Alyssa Ortiz, Alfredo Leon, Jaylen Ortiz and Agustin Leon (GUARD/P)**

Case No. 12CEPR00145

Atty Villagomez, Guadalupe Garcia (pro per Petitioner/paternal aunt)

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

Alyssa age: 9 years DOB: 8/24/2006		<p style="text-align: center;"><b>TEMPORARY EXPIRES ON 4/11/12</b></p> <p><b>GUADALUPE CARCIA VILLAGOMEZ</b>, paternal aunt, is petitioner.</p> <p>Father: <b>JOSE AGUSTIN LEON</b> – <i>consents and waives notice.</i></p> <p>Mother: <b>ROSEANNA ORTIZ</b> – <i>personally served on 2/12/12.</i></p> <p>Paternal grandfather: Agustin Leon                  Paternal grandmother: Petra Garcia Aumada                  Maternal grandfather: Deceased                  Maternal grandmother: Irene Orona – <i>served on 2/16/12.</i></p> <p><b>Petitioner states</b> the mother and the father are incarcerated.</p> <p><b>Court Investigator Charlotte Bien’s Report filed on 3/29/12.</b> CI states it appears appropriate and in the best interest of the minors to remain in the care of Petitioner. Petitioner is meeting the medical needs of the minors, which had been neglected under the care of their mother. The two minors have no record of immunizations and they are in need of dental work due to tooth decay. It is therefore recommended that the guardianship be <b>GRANTED</b>.</p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <p><b>This petition is as to JAYLEN and AGUSTIN only.</b></p> <p>2. Need proof of service of the <i>Notice of Hearing</i> along with a copy of the <i>Petition or Consent and Waiver of Notice or Declaration of Due Diligence</i> on:</p> <p>c. Agustin Leon (paternal grandfather)                  d. Petra Aumada (paternal grandmother)</p>	
Alfred age: 5 years DOB: 2/11/2003				
Jaylen age: 3 years DOB: 5/11/2008				
Agustin age: 2 years DOB: 5/19/2009				
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			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: KT		
		Reviewed on: 4/5/12		
		Updates:		
		Recommendation:		
		File 14B – Ortiz & Leon		

14B

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

Jana age: 5 years DOB: 12/11/2006		<p><b>THERE IS NO TEMPORARY.</b> No temporary was requested.</p> <p><b>JOSEPH MARIAROSSI</b>, paternal grandfather, is petitioner.</p> <p>Father: <b>JOSEPH MARIAROSSI</b></p> <p>Mother: <b>ANNA DE LEON</b></p> <p>Paternal grandmother: Bonnie Streeter Maternal grandparents: Not listed</p> <p><b>Petitioner states</b> both parents are incarcerated and unable to provide for the children. They are unstable and can't keep the children's well-being a priority. Petitioner states CPS was going to take the children if he didn't go to Texas and get them.</p> <p><b>Court Investigator Julie Negrete's Report filed on 4/4/12.</b></p>	<p><b>NEEDS/PROBLEMS/COMMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Need <i>Notice of Hearing</i>.</li> <li>2. Need proof of personal service of the <i>Notice of Hearing</i> along with a copy of the <i>Petition or Consent and Waiver of Notice or Declaration of Due Diligence</i> on:           <ol style="list-style-type: none"> <li>a. Joseph Mariaarossi (father)</li> <li>b. Anna De Leon (mother)</li> </ol> </li> <li>3. Need proof of service of the <i>Notice of Hearing</i> along with a copy of the <i>Petition or Consent and Waiver of Notice or Declaration of Due Diligence</i> on:           <ol style="list-style-type: none"> <li>c. Bonnie Streeter (paternal grandmother)</li> <li>d. Maternal grandparents</li> </ol> </li> <li>4. Petition does not include the names and addresses of the maternal grandparents.</li> <li>5. Need UCCJEA</li> <li>6. Need Duties of Guardian</li> <li>7. Confidential Guardian Screening form is incomplete. It does not include the social security # and Driver's License # of the Petitioner.</li> <li>8. Confidential Guardian Screening form is incomplete at #10. Petitioner did not explain his affirmative answer as required.</li> </ol>
Joseph age: 2 years DOB: 2/1/2010			
Cont. from			
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	X		
Objections			
Video Receipt			
✓ CI Report			
9202			
✓ Order			
Aff. Posting			
Status Rpt			
UCCJEA	X		
Citation			
FTB Notice			
Reviewed by: KT			
Reviewed on: 4/5/12			
Updates:			
Recommendation:			
File 15 - Mariarossi			