

1 Irene Hamby (Estate)
 Atty Kruthers, Heather (for Public Administrator)
 Atty Rackley, Doris Elaine (Pro Per)

Case No. 07CEPR00763

Status Hearing

DOD: 10-7-06	<p>DORIS ELAINE RACKLEY, Sister, was appointed Administrator with Full IAEA without bond and Letters issued on 8/28/07.</p> <p>On 11/15/13, the Court removed Doris Rackley and appointed the PUBLIC ADMINISTRATOR.</p> <p>Status report filed 9/25/15 states Irene's estate cannot be closed until Herbert's closes. The hearing on Herbert's estate was continued to 11/16/15. The Public Administrator anticipates distribution of the property in kind from Herbert's estate and the interest sold in Irene's estate.</p> <p>The PA respectfully requests the next status hearing be set no sooner than four months from the date of this hearing to allow time for administration after distribution from Herbert's estate.</p> <p>Status report filed 1/22/16 states the PA had hoped to have the account filed in Herbert Hamby's estate, but has further issues to resolve. The PA requests that the next status hearing be set no sooner than four months from the date of this hearing.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need petition for final distribution.</p> <p>Note: The petition for final distribution in the related estate has been filed and set for 6/27/16.</p>
Cont. from 111513, 022114, 061314, 092914, 033015, 092815, 012516		
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		
	<p>Reviewed by: skc</p> <p>Reviewed on: 5/17/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 1 – Hamby</p>	

2 **Herbert C. Hamby (Estate)**
 Atty Kruthers, Heather (for Public Administrator)
 Atty Rackley, Elaine (Pro Per Administrator with Will Annexed)

Case No. 07CEPR00788

Probate Status Hearing for Failure to File a First Account or Petition for Final Distribution

DOD: 9-6-05		NEEDS/PROBLEMS/COMMENTS: OFF CALENDAR First and Final Account filed 5/13/16 is set for hearing on 6/27/16
Cont. from 092013, 111513, 022114, 061314, 092914, 033015, 060115, 072715, 092115, 111615, 012516		
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: 5/17/16
		Updates:
		Recommendation:
		File 2 – Hamby

Attorney Jennifer L. Walters; Lisa M. Horton (for Petitioner Maria Alvarez-Garcia, Trustee)

Fourth Account Current and Report of Trustee; Petition for Its Settlement; for Allowance of Attorneys Fees and Costs Advanced; and for Reimbursement of Costs Advanced by Trustee

	MARIA ALVAREZ-GARCIA , Trustee, is Petitioner.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need original bank account statements as of the close of accounting period pursuant to Probate Code § 2620(c), filed in a separate affidavit in accordance with Probate Code § 2620(c)(7).</p> <p>2. Need Order for Withdrawal of Funds from Blocked Account for the payment of the requested attorney fees, reimbursement to Petitioner, and van repairs, if approved.</p>
	Account period: 11/19/2014 – 12/15/2015		
	Accounting	- \$192,797.19	
	Beginning POH	- \$177,818.06	
	Ending POH	- \$186,766.68	
	(\$154,943.10 is cash in blocked account)		
Cont. from			
	Aff.Sub.Wit.		
✓	Verified	Trustee - waives	
	Inventory		
	PTC	Trustee Expenses - \$2,370.56	
	Not.Cred.	(see below; for van maintenance and repairs; receipts attached at Exhibit C;)	
✓	Notice of Hrg	Attorney - \$2,961.50	
✓	Aff.Mail	(for services from 12/23/2014 to 3/31/2016; for .70 hours @ \$245/hour totaling \$171.50; and 12.4 hours @ \$225/hour totaling \$2,790.00;)	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.	Attorney Costs - \$435.00	
	Conf. Screen	(filing fee)	
	Letters	Petitioner requests reimbursement of expenses for van maintenance and repair, and for additional funds from the trust for further repair, based upon the following:	
	Duties/Supp	<ul style="list-style-type: none"> • She is the Beneficiary's grandmother and receives no financial help or assistance from the Beneficiary's father or his mother; • She pays the majority of the Beneficiary's food, hygiene necessities, clothing, entertainment, school supplies, etc., from her own personal funds; • Petitioner also paid for a majority of the regular maintenance and repairs on the van, which is a Trust asset (shown on Schedule E); • Between 8/2013 and 11/2015, Petitioner paid a total of \$2,370.56 in maintenance and repairs on the van as shown in Exhibit C, and she requests reimbursement of that sum; • Petitioner received an invoice of \$3,005.55 for further van repairs needed, including new tires (\$952.31) (copy attached as Exhibit D), and requests a total of \$3,957.86 for the necessary repairs and new tires on the van. 	
	Objections		
	Video Receipt		
	CI Report		
	2620	X	
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
		~Please see additional page~	
			<p>Reviewed by: LEG</p> <p>Reviewed on: 5/17/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 4- Carbajal</p>

4 First Additional Page, Adam Carbajal Special Needs Trust Case No. 10CEPR00612

Petitioner prays for an Order:

1. Approving, allowing and settling the Fourth Account and Report of the Trustee;
2. Approving all acts and transactions of the Trustee as set forth in the report;
3. Authorizing payment of the attorney fees and cost reimbursement;
4. Authorizing reimbursement to Petitioner for the **\$2,370.56** she paid for necessary repairs and maintenance for the Trust; and
5. Authorizing Petitioner to withdraw the sum of **\$3,957.86** from the blocked account for the necessary repairs and new tires on the van.

Note: Court will set a status hearing in one of the following alternatives:

- **Thursday, February 16, 2017 at 9:00 a.m. in Dept. 303** (1-year account) for filing of the 5th account;

OR

- **Thursday, February 22, 2018 at 9:00 a.m. in Dept. 303** (2-year account) for filing of the 5th account.

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

Dept. 303, 9:00 a.m. Monday, May 23, 2016

Status RE: Settlement

	<p>GERALD ISHII, Beneficiary and Co-Trustee, filed Petition of Beneficiary to Remove Successor Co-Trustees, Appoint Temporary Successor Trustee, and for Payment of Attorneys' Fees and Costs on 5/17/12. The petition was set for hearing on 7/2/12.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 1/25/16: Counsel requests additional time.</p>
<p>Cont. from 012516</p>	<p>LESLIE ISHII, Beneficiary and Co-Trustee, filed Objection on 6/21/12.</p>	
<p>Aff.Sub.Wit.</p>	<p>The hearing on 7/2/12 was continued numerous times, and after numerous status and settlement hearings, at the settlement conference hearing on 1/5/15, the parties represented that they are working on agreement, and the Court set this status hearing re the agreement for 4/13/15.</p>	
<p>Verified</p>		
<p>Inventory</p>	<p>The status hearing re the agreement was then continued to 4/13/15, 7/13/15, and finally 10/19/15. On 10/19/15, the Court set an Order to Show Cause hearing for 11/30/15 as to Gerald Ishii as to why he should not be removed as co-trustee for failure to resolve the matter and to Edward L. Fanucchi as to why he should not be sanctioned for his failure to appear.</p>	
<p>PTC</p>		
<p>Not.Cred.</p>	<p>Minute Order 11/30/15 states The agreement has been forwarded to Ms. Burnside, who needs additional time to review it. The orders to show cause are vacated.</p>	
<p>Notice of Hrg</p>		
<p>Aff.Mail</p>	<p>Status Declaration of Leigh W. Burnside filed 5/17/16 states last year, as the parties were working toward completion of the settlement, Gerald Ishii proposed that the agreement include a lot line adjustment involving separate, adjacent parcels of agricultural property owned by him and Les Ishii. The parcels are not held in the trust and are not part of the underlying dispute between the parties. Les nevertheless agreed to adjust the line dividing the parcels to give additional acreage to Gerald Ishii, but there remained details to resolve concerning the location of the proposed new line. These details have been resolved, but Ms. Burnside's client (Les Ishii) has asked for access rights to Gerald Ishii's parcel for the limited purpose of accessing and maintaining certain agricultural equipment located near the new line. Presently, Ms. Burnside is awaiting a response from Gerald Ishii's counsel to this request.</p>	
<p>Aff.Pub.</p>		
<p>Sp.Ntc.</p>		
<p>Pers.Serv.</p>		
<p>Conf. Screen</p>		
<p>Letters</p>		
<p>Duties/Supp</p>		
<p>Objections</p>		
<p>Video Receipt</p>		
<p>CI Report</p>		
<p>9202</p>	<p>Reviewed by: skc</p>	
<p>Order</p>	<p>Reviewed on: 5/17/16</p>	
<p>Aff. Posting</p>	<p>Updates: 5/19/16</p>	
<p>Status Rpt</p>	<p>Recommendation:</p>	
<p>UCCJEA</p>	<p>File 5- Ishii</p>	
<p>Citation</p>		
<p>FTB Notice</p>		

SEE PAGE 2

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Declaration of Leigh W. Burnside (Cont'd) states a written settlement agreement has been prepared and circulated among the parties, attorneys, and accountants. If Gerald Ishii approves Les Ishii's request for limited access rights, the only addition will be the physical description of the access area. All other terms have been approved.

The attorney recognizes that the resolution of this matter has taken much longer than the Court, the attorneys and the parties anticipated, and she apologizes for the delay. She assures the Court that she and attorney Jay Kelly continue to work to bring this matter to a close and appreciate the Court's continued patience.

Status Report filed 5/19/16 by Attorney Edward L. Fanucchi states it is his understanding that the outstanding issues have been resolved, as have some minor issues re allowing Les Ishii to enter Gerald Ishii's parcel to maintain agricultural equipment near the lot line. Attorney Burnside is now drafting the section for access, and there should be no issues approving this final portion of the settlement. Please understand that as the CPAs have agreed on the final figures to be included in the settlement agreement, the remaining issues will be resolved in short order. He and Attorney Burnside are committed to bringing this matter to a close and he sees no issues that will prevent that from occurring within the next 45 days.

Status Re: Opening Probate for Distribution as Contemplated in the Settlement Agreement

DOD: 10/3/12	<p>Estate History:</p> <p>MICHELLE K. JOHNSON, Daughter, filed a Petition for Letters of Administration on 1/22/13. The petition estimated personal property valued at \$47,000 and real property valued at \$150,000 (total est. estate value \$197,000).</p> <p>Minute Order 2/21/13 (hearing on Petition for Letters of Administration) stated: Mr. Russo is appearing for Christine Reynolds, a beneficiary. Mr. Russo informs the Court that he has just been retained and is in possession of Will and trust documents. Ms. Cunningham contests the Will and Trust indicated by Mr. Russo. Mr. Russo informs the Court that he will be filing a petition. Parties agree that this matter will be continued to the date agreed upon by all counsel once Mr. Russo's petition is filed.</p> <p>On 4/9/13, Ms. Johnson also filed a Petition for findings of Financial Elder Abuse, Conversion, and Recovery of Estate Property (Prob. Code §850).</p> <p>CHRISTINE REYNOLDS, respondent and friend of decedent, filed an Objection to the Petition for finding of Elder Abuse, etc., on 7/2/13.</p> <p>On 7/8/13, the 850 petition was set for settlement conference.</p> <p>On 1/7/14, Ms. Reynolds filed an Ex Parte Petition for Letters of Special Administration, which was granted on 1/7/14. Order authorized Ms. Reynolds to obtain financial account statements. The order expired 4/7/14.</p> <p>Later, on 6/9/14, Ms. Johnson filed a Petition for Letters of Special Administration for the same purpose. At hearing on 7/16/14, the petition was granted for the limited purpose of securing information regarding accounts in the decedent's name. The order expired 10/16/14.</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 4/25/16:</u> Counsel argues that there is no need for probate as the §850 petition was filed and settled. If the Court decides to dismiss the matter before the status hearing, then no appearance will be necessary on 5/23/16.</p> <p>As of 5/17/16, the following issue remains noted:</p> <p><u>SEE ADDITIONAL PAGES</u></p> <p>Reviewed by: skc</p> <p>Reviewed on: 5/17/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6- Smith</p>
Cont. from 042516		
Aff.Sub.Wit.		
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
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Duties/Supp		
Objections		
Video Receipt		
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Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

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At status hearing re special administration on 10/16/14, the matter was set for settlement conference and trial. Minute Order of 10/6/15 states that a written agreement is signed in open court and the Court ordered that the settlement and release signed today will constitute the settlement of all outstanding issues with regard to this estate. Ms. Cunningham to file a copy of the agreement. Trial vacated.

On 10/6/15, Notice of Settlement was filed. The Settlement and Release Agreement provides that the parties agree to sell the house and divide the proceeds. In addition, Ms. Johnson will receive all remaining proceeds from the sale of the decedent's insurance company, estimated at \$25,000, and all personal property and vehicle currently held in Ms. Reynolds' name. The parties agree that "Petitioner shall cause the Action to be dismissed with prejudice" within 10 days after close of escrow.

Note: On 2/26/16, Attorney Nuttall substituted out as Ms. Reynolds' attorney of record.

On 3/10/16, Ms. Johnson submitted a Request for Dismissal of the entire action. Dismissal was not entered because upon review of the settlement agreement, it appeared that the parties had agreed to sale and distribution of assets, but the estate had never been formally opened for authority to do so. Therefore, the Court set this status hearing and sent notice to Ms. Johnson's attorney.

On 4/12/16, a second Request for Dismissal of the Petition for Letters of Administration was filed. Again, dismissal was not entered because this status hearing was upcoming.

Status Report filed 4/18/16 by Attorney Ryan Marshall of McCormick Barstow states: Although a substitution of attorney has not been received by Petitioner's counsel, he is informed and believes that Respondent Christine Reynolds is currently in pro per. Petitioner's counsel is unaware of her address, so this report was served to Attorney Nuttall. This matter initially settled on 10/6/15 and the agreement was reduced to writing. The agreement addressed distribution of the vehicle, the remaining proceeds from the decedent's business, the procedure for preparing the residence occupied by Respondent to be sold, the division of the residence sale proceeds, and Petitioner taking possession of certain personal property from the residence. Pursuant to the settlement agreement, Petitioner took possession of the personal property, the vehicle, and the business sale proceeds. The residence was sold in January 2016. A further agreement was reached on or about 2/16/16 re allocation of sale proceeds. See attached. Petitioner and Respondent were issued checks from the office of Petitioner's counsel. As a result of the performance of the settlement agreement and subsequent agreement on proceeds allocation, there are no assets to be distributed, and any necessity to open a probate has been negated. Based on the foregoing, Petitioner requests the Court dismiss this matter in its entirety, with prejudice, without further appearance of counsel.

SEE ADDITIONAL PAGES

Page 3 – NEEDS/PROBLEMS/COMMENTS:

1. **Need authority for distribution of assets pursuant to the settlement agreement including real and personal property with a total estimated estate value of approx. \$200,000 without administration under §8000, appointment of a personal representative, notice to creditors, notice to agencies including Dept. of Health Care Services and the CA Franchise Tax Board per §9202, inventory and appraisal, and final account or waiver thereof.**

Although the parties reached a settlement for ultimate distribution, such distribution does not appear appropriate given the above-noted facts.

Petitioner Ortiz Sr., Alex (Pro Per – Father)

Petition for Visitation

Alex age: 6 years	ALEX ORTIZ, SR., Father, is petitioner.		NEEDS/PROBLEMS/COMMENTS:
Julian age: 4 years	<u>Please see petition for details</u>		
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 type="checkbox"/> Order	x		
<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: LV
			Reviewed on: 05/18/2016
			Updates:
			Recommendation:
			File 7- Ortiz

Petitioner: Bryan Lamb (Pro per – Father)

Petition for Termination of Guardianship (JEMMA only)

	BRYAN LAMB, father is petitioner		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>This petition is for <u>JEMMA</u> only.</p> <p><u>Minute order dated 4/11/2016</u> states examiner notes were provided in open court and matter was continued to 5/23/2016.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of mailed service at least 15 days before the hearing of <i>Notice of Hearing</i> <u>or</u> consents to termination and waiver of notice <u>or</u> declarations of due diligence for: <ol style="list-style-type: none"> a. Tiffany Perez (mother) b. Edward Thomas (paternal grandfather) c. Jimmy Perez (maternal grandfather) d. Carlotta Marquez (maternal grandmother)
	JACQUELINE LAMB, paternal grandmother, was appointed guardian of the person of Jemma Lamb on 3/26/2015.		
	Cont. from 041116		
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
	Notice of Hrg	x	
	Aff.Mail	x	
	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: SEF
			Reviewed on: 5/17/2016
			Updates:
			Recommendation:
			File 8- Perez & Lamb

		NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR.</u> <u>Order Settling First and Final</u> <u>Account filed 01/28/2016</u>
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: LV
		Reviewed on: 05/17/2016
		Updates:
		Recommendation:
		File 9- Breeden

Petitioner: Tina Upstill (pro per)

Petition to Fix Residence Outside the State of California

Age: 8 years	TINA UPSTILL, guardian/paternal grandmother, is petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing along with a copy of the Petition on: <ol style="list-style-type: none"> a. Scott Leatherberry (paternal grandfather) – Unless the Court dispenses with notice. <p>Note: Declaration of Due Diligence filed 04/11/2016</p> <ol style="list-style-type: none"> 3. Petition does not state the physical address of the proposed move, just the city and state. 4. Order is incomplete. Need new order. <p>Note: Pursuant to Probate Code 2352 the guardian must serve a <i>Pre-Move Notice of Proposed Change of Personal Residence of the Ward</i> (Judicial Council form #GC-079) on the minors' parents at least 15 days prior to the proposed move and then file the original with the court. After the move the guardian must serve the a <i>Post-Move Notice of Change of Residence of the Ward</i> (Judicial Council form #GC-080) on the minors' parents within 30 days of the move and then file the original with the court. Copies of said forms are in the file to give to petitioner.</p> <p>Note: If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Monday, November 14, 2016 at 9:00 a.m. in Department 303, for the proof of the establishment of a guardianship or its equivalent in Arizona. <p>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.</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	x	
<input type="checkbox"/> Aff.Mail	x	
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.		
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<input type="checkbox"/> Letters		
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<input type="checkbox"/> 9202		
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<input type="checkbox"/> Status Rpt		
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<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed on: 05/18/2016
		Updates:
		Recommendation:
		File 10- Ray

Abigail, 2	YAMIRA ORTIZ-CRUZ, mother, is petitioner.		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination for:</p> <ul style="list-style-type: none"> • Wilfredo Cruz (Maternal Grandfather)
Deborah, 1	MAYRA PEREIRA and MAYRA HERNANDEZ, maternal aunt and maternal grandmother, were appointed Guardians on 08/25/2015. Petitioners consent and waive notice.		
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			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			Reviewed by: LV
			Reviewed on: 05/17/2016
			Updates:
			Recommendation:
			File 11- Moran

Please see petition for details

Attorney Jennifer L. Walters (for Robert Hudson and Mary Ann Hudson, Co-Administrators)

Probate Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 9/7/2015	ROBERT HUDSON and MARY ANN HUDSON, parents, were appointed Co-Administrators with Full IAEA authority without bond on 1/25/2016.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need <i>Final Inventory and Appraisal</i> pursuant to Probate Code § 8800(b), or verified Status Report and proof of service of notice of the Status Hearing pursuant to Local Rule 7.5(B), including notice to GERALD TOMASSIAN per the <i>Request for Special Notice</i> filed 12/3/2015.</p>
Cont. from		
Aff.Sub.Wit.	Letters issued on 1/28/2016.	
Verified		
Inventory	<input checked="" type="checkbox"/>	
PTC	Pursuant to Probate Code § 8800(b), Final Inventory and Appraisal was due 5/28/2016.	
Not.Cred.		
Notice of Hrg	Minute Order dated 1/25/2016 from the hearing on the petition for letters of administration set the matter for a Status Hearing on 5/23/2016 for filing of the final inventory and appraisal.	
Aff.Mail	<input checked="" type="checkbox"/>	
Aff.Pub.		
Sp.Ntc.	<input checked="" type="checkbox"/>	
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt	<input checked="" type="checkbox"/>	
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 5/17/16
		Updates:
		Recommendation:
		File 12- Hudson

Petitioner: Bryan Bruno (Pro per – Executor)

Probate Status Hearing RE: Filing of the Inventory and Appraisal

DOD: 10/6/2015	<p>BRYAN BRUNO, son, was appointed executor with full IAEA without bond on 2/1/2016.</p> <p>Letters issued 2/1/2016.</p> <p>Minute order dated 2/1/2016 set this status hearing re: the filing of the inventory and appraisal.</p> <p>I&A filed 5/18/2016 – \$244,663.33 – see note 1</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The inventory and appraisal (I&A) filed 5/18/2016 was not appraised by the Probate Referee as required pursuant to Probate Code 8900 et seq.</p>
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		
	<p>Reviewed by: SEF</p> <p>Reviewed on: 5/18/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 13- Bruno</p>	

Petition for Authorization for Trustee to Expend Trust Assets for Reimbursement of and Approval for Expenses, and for Approval of Attorneys' Fees

		<p>CAROLYN YOUNG, Trustee, with bond of \$334,000.00, is Petitioner.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>SEE ADDITIONAL PAGES</u></p> <p>Note: An additional declaration was filed 5/12/16 by Trustee Carolyn Young. See last page.</p>
		<p>Petitioner states she is the current trustee of the Jovani Youssef Settlement Trust established pursuant to Probate Code §3600, et seq., by order of Fresno County Superior Court on 8/20/15 in 10CECG03582.</p>	
<p>Conf. from 031416, 042516</p>		<p>The Trust was funded with \$290,055.42 on 10/6/15. The trust will become revocable and likely terminate on 10/9/27. The beneficiary is a minor who currently lives with his maternal grandparents in Egypt. His mother passed away five days after giving birth to Jovani. Jovani's father, Romani Youssef, currently lives in Fresno.</p>	
	<p>Aff.Sub.Wit.</p>		
✓	<p>Verified</p>	<p>Petitioner seeks authorization from this Court to expend assets in the amount of \$32,113.20 to reimburse Romani Youssef for 50% of his personal funds expended in the amount of \$64,226.41 for necessary expenditures for the benefit of Jovani prior to the establishment of the trust as follows:</p>	
	<p>Inventory</p>		
	<p>PTC</p>	<ul style="list-style-type: none"> • 12 MoneyGrams sent to Egypt between 4/4/11 and 12/29/14 totaling \$6,011.41 (see attached copies of MoneyGrams); • Cash of \$1,500.00 carried to Egypt by friends (see attached letters from friends who carried cash); • \$1,380 for a roundtrip airline ticket from Los Angeles to Alexandria on 5/31/11 to 6/11/11 for Mr. Youssef to visit Jovani (see attached travel itinerary); • An additional \$55,335.00 was spent for Jovani and his grandparents to travel to and from Egypt (\$14,100), additional travel expenses (\$3,135), childcare expenses (\$14,000); lost wages when Mr. Youssef travelled to Egypt (\$15,000), long distance phone bills (\$5,100), pre-school expenses (\$4,000) (see attached itemization) 	
	<p>Not.Cred.</p>		
✓	<p>Notice of Hrg</p>	<p>SEE ADDITIONAL PAGES</p>	<p>Reviewed by: skc</p> <p>Reviewed on: 5/18/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 14- Youssef</p>
✓	<p>Aff.Mail W</p>		
	<p>Aff.Pub.</p>		
	<p>Sp.Ntc.</p>		
	<p>Pers.Serv.</p>		
	<p>Conf. Screen</p>		
	<p>Letters</p>		
	<p>Duties/Supp</p>		
	<p>Objections</p>		
	<p>Video Receipt</p>		
	<p>CI Report</p>		
	<p>9202</p>		
✓	<p>Order</p>		
	<p>Aff. Posting</p>		
	<p>Status Rpt</p>		
	<p>UCCJEA</p>		
	<p>Citation</p>		
	<p>FTB Notice</p>		

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Petitioner states all of these expenses directly result from the loss of Jovani's mother and the need for him to live in Egypt with his grandparents. Jovani's father as a single working parent cannot provide the proper home environment to raise a small child and the best option for Jovani's future is for him to live with his caring grandparents. Unfortunately, the distance of their home and the costs involved in supporting Jovani there are significant.

Due to the extraordinary nature of Jovani's living situation and the costs associated therewith, Petitioner requests that Mr. Youssef be reimbursed 50% of the \$64,226.41, or \$32,113.20, for disbursements he made using personal funds for the benefit of Jovani.

Request for authorization to expend trust assets for ongoing expenses: Petitioner states currently, Jovani's maternal grandparents provide for all his needs. They pay for Jovani's schooling, his psychotherapy, and all of his living expenses. The estimate for the annual expenses is \$25,000. Petitioner seeks authorization to expend trust assets in the amount of \$3,125 every three months to finance 50% or \$12,500 of the estimated annual expenses for Jovani's needs and benefits. The other 50% will be financed by his father and his maternal grandparents.

Attorneys' fees: Petitioner states the trustee has engaged the services of the Dale Law Firm in preparation of this petition and its presentation to the Court. The law firm is entitled to reasonable compensation. **Declaration filed 2/22/16 requests ~~\$2,106.66~~ \$1,890.00 as follows:**

- Legal fees of \$1,470 for 7 paralegal hours @ \$150/hr and 1.4 attorney hours @ \$300/hr, for correspondence, case review, preparation of this petition
- ~~- Costs of \$216.66 for overnight mailing, photocopies, court call appearance, etc.
(Costs eliminated per Declaration filed 4/6/16.)~~
- Anticipated fee of \$450.00 for 1 hour of attorney time and 1 hour of paralegal time that will be further expended in preparing for and appearing at the hearing.
- Unspecified credit of \$30.00.

Petitioner prays that this Court find and order as follows:

1. That notice of hearing for this matter has been given as required by law;
2. That the Court authorize the Trustee of the Jovani Youssef Settlement Trust to reimburse Mr. Youssef in the amount of \$32,113.20 for disbursements made from personal funds for the benefit of Jovani;
3. That the Court approve quarterly disbursements from the Jovani Youssef Settlement Trust in the amount of \$3,125 for Jovani's ongoing needs;
4. That the Court authorize and direct Petitioner to pay from the Jovani Youssef Settlement Trust to the Dale Law Firm reasonable compensation for legal services as set forth in the declaration; and
5. For such other order and relief as the Court deems proper and just.

SEE ADDITIONAL PAGES

Page 3 – NEEDS/PROBLEMS/COMMENTS:

Note: Examiner notes previously noted that the minor's maternal grandparents, with whom he resides in Egypt, had not been identified or served. They have now been identified and properly served.

Note: Examiner notes previously requested information about the Trustee. Declaration filed 4/6/16 states she is a professional fiduciary and provides her office address in Sacramento, CA.

Note: Examiner notes previously noted that the petition provided the initial funding amount \$290,055.42, but did not indicate how funds were held or current balance. **Declaration filed 4/6/16 states** the balance as of 1/31/16 was \$271,322.14, and describes that disbursements have been made for bond premium of \$1,262.00, \$3,500.00 in attorney fees to Dale Law Firm, plus \$435.00, and reimbursement to Petitioner of \$3,060 for Jovani's school. The difference of roughly \$10,000.00 represents a loss of investments in the stock market.

Examiner's Note: *Was the \$3,500.00 paid to the Dale Law Firm authorized by the Court?*
Declaration filed 4/21/16 states *fees were paid pursuant to a representation agreement between the Dale Law Firm and Romani Zakaria Youssef and Antonne Youssef, Jovani's father and uncle, for preparation of and assistance with the establishment of the Jovani Youssef Settlement Trust. Insomuch as the Dale Law Firm was not representing the Trustee, court approval was not required.*

Note: Examiner notes previously requested receipts from Jovani's grandparents for the \$7,511.41 in MoneyGrams and cash delivered by friends and the \$14,000.00 paid to them for child care expenses. Attached to the Declaration filed 4/6/16 are receipts from the purchase of the MoneyGrams and letters from the friends who delivered funds (total receipts \$7,511.41). However, the Declaration states Petitioner does not have receipts for the \$14,000.00.

Note: Examiner notes previously requested clarification regarding the \$15,000 requested for lost wages for Petitioner's visits to Egypt to see his son, itemized as "3 weeks off from work for each trip x 3 trips - \$15,000.00." Declaration filed 4/6/16 explains that Petitioner works as a card dealer at Chukchansi Gold Resort and Casino. He is paid hourly and tips, and receives no compensation if he does not work. Attached are wage statements and airline receipts for various trips.

Note: Examiner notes previously requested clarification regarding the **\$5,100.00 in long distance phone bills**, itemized as phone/skype/internet at \$85/month for five years, as this amount appears to be a typical household monthly expense regardless of the minor residing in Egypt. Declaration filed 4/6/16 states were it not for the fact that Jovani lives abroad, his father would not need to skype and have phone calls with his son and in-laws on a regular basis. This communication is vital and valuable for all parties, particularly for Jovani's emotional well-being. **Update: See Declaration filed 5/12/16 states he did not spend \$5,000 for long distance charges, rather it was \$500.**

SEE ADDITIONAL PAGES

Page 4 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

Note: Examiner notes previously questioned the \$4,000 paid for pre-school (“\$1,000/year x 3 years (paid by father in law?).” Declaration filed 4/6/16 states Petitioner reimburses Jovani's grandfather, who pays the expenses. Attached is a fee statement for the school indicating 6,000 L.E. (6,000 Egyptian pounds) dated November 2015.

Note: Examiner notes previously requested further information regarding the minor's current support situation with reference to a parent's duty to support his or her minor child and with reference to any other income/support available to the minor or caregivers. Are there any formal custody or support agreements or orders or public or other assistance in place or being received? If so, by whom and from whom? **Declaration filed 4/6/16 states** with the passing of Jovani's mother, the burden of child support shifted from both parents to Jovani's father, now a single parent. There are no custody or support agreements in place because Petitioner remains his guardian. Jovani's trust was funded with settlement proceeds resulting from the loss of his mother, so trust funds can appropriately be used to supplement Jovani's care and support needs. If not for the loss of his mother, the expenses associated with his care in Egypt would not be necessary as Jovani would be living with and supported by his parents. Tragically, that is not the case.

Note: Examiner notes previously requested information regarding the request for quarterly support payments payable to Petitioner, when Jovani is not in Petitioner's care. **Declaration filed 4/6/16 states** the quarterly support payments will be paid to Petitioner as reimbursement, as he will have advanced funds to Jovani's grandfather.

Note: Examiner notes previously stated the Court may require authority and/or other relevant details regarding the trust and payments and support therefrom that may be relevant due to the minor permanently residing outside of the State of California in a foreign country. Declaration filed 4/6/16 states there is no legal authority stating that a beneficiary of a settlement trust has to reside in California. Jovani's place of residence has no implication on the administration of the trust, so long as it is used for the sole benefit of Jovani.

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Declaration filed 5/12/16 in response to the Court's concerns raised during the hearing on 4/25/16 re Mr. Youssef's employment and long distance phone charges states:

Employment: Mr. Youssef was employed by Chukchansi Casino for 12 years prior to the casino closing in October 2014. Initially, the casino informed employees it would re-open after three months. When that did not occur, Mr. Youssef undertook a 3-month workforce retraining program to make himself marketable, and then sought employment both outside of and within the casino/gaming industry, to no avail. During the time he was out of work, he spent a month in Egypt with Jovani, and brought Jovani back to the US to stay with him for a month. During this time, he also spent considerable time engaged with legal proceedings involving the wrongful death case for Jovani's mother. Mr. Youssef returned to work at Chukchansi when the casino reopened in December 2015.

Long distance charges: Due to a misunderstanding, Mr. Youssef did not spend \$5,000 for long distance charges; rather, he spent \$500. These funds were used to pay for phone cards used by Jovani's grandparents in Egypt to establish the long distance telephone connection for Jovani to speak with his father in California. Because internet service in Egypt is unreliable and Jovani's grandparents' computer is old and out of date, the Skype connection cannot always be established.

Note: The Court will set status hearings as follows:

- **Monday, December 5, 2016 for the filing of the first account**

If the proper items are on file, the status hearings may come off calendar. See Local Rule 7.5.

15A Ledgic Frye (GUARD/P)

Case No. 16CEPR00078

Petitioner: Joy Rene Frye (Pro Per – Paternal Grandmother)

Petitioner: John Michael Frye (Pro Per – Paternal Grandfather)

Petition for Appointment of Guardian of the Person

		<u>TEMPORARY EXPIRED 5/9/2016</u>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute order dated 5/9/2016 placed a W&I 300 hold on minor. Court indicated it intended to reinstate orders if a dependency action was not initiated. Matter was continued to 5/23/2016.</p> <p>1. Need proof of service 15 days prior to hearing of <i>Notice of Hearing</i> along with copy of the petition <u>or</u> consent and waiver of notice for:</p> <p style="padding-left: 40px;">a. Cathie Tilley (maternal grandmother)</p> <p>2. Per CI report filed 3/21/16, petitioners reported minor has Cherokee ancestry. An ICWA packet was mailed to petitioners. A <i>Notice of Child Custody Proceeding for Indian Child</i> (Form ICWA-030), must be completed and returned to the probate clerk for service. As of 5/18/2016, no ICWA packet has been returned to the Probate Clerk's office for service.</p>
		JOHN FRYE and JOY FRYE, paternal grandparents, are petitioners	
Cont. from 032816, 050916		Court Investigator report dated 3/21/2016.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Court Investigator supplemental report filed 5/9/2016.	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Court Investigator supplemental report filed 5/18/2013.	
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	x	
<input type="checkbox"/>	Aff.Mail	x	
<input type="checkbox"/>	Aff.Pub.	<i>See petition for details.</i>	
<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		
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<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: SEF
			Reviewed on: 5/18/2016
			Updates:
			Recommendation:
			File 15A- Frye

15B Ledgic Frye (GUARD/P)

Case No. 16CEPR00078

Petitioner: Sam Paul, Gladis, JR (Pro per – Maternal great uncle)

Petitioner: Laura Ann Gladis (Pro per – Maternal great aunt)

Petition for Appointment of Guardian of the Person

		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:	
		LAURA GLADIS and SAM GLADIS, JR , maternal great-aunt and great uncle, are petitioners. (Note: Petitioners are residents of Wisconsin.)	<ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of personal service 15 days prior to hearing of <i>Notice of Hearing</i> with copy of petition <u>or</u> consents and waivers of notice on: <ol style="list-style-type: none"> a. Ashley Mikel Akers (mother) – <i>unless court dispenses with notice</i> b. Steven Frye (father) 3. Need proof of service 15 days prior to hearing of <i>Notice of Hearing</i> with copy of petition <u>or</u> consents and waivers of notice <u>or</u> declarations of due diligence on: <ol style="list-style-type: none"> a. John Frye (paternal grandfather) b. Joy Frye (paternal grandmother) c. Cathie Tilley (maternal grandmother) 4. Item 8f of child information attachment to petition is incomplete re: if the minor has Indian ancestry. 	
		Court Investigator supplemental report filed 5/18/2013.		
Cont. from		<i>See petition for details.</i>		
<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			x
<input type="checkbox"/>	Aff.Mail			x
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			x
<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: SEF	
			Reviewed on: 5/18/2016	
			Updates:	
			Recommendation:	
			File 15B- Frye	

16 Mary Bowles (Det. Succ)

Case No. 16CEPR00213

Petitioner: Tina K Hawkinson (Pro per – Daughter)

Petitioner: Theresa Horg (Pro per – Granddaughter)

Amended Petition to Determine Succession to Real Property

DOD: 7/31/2011	Petitioners are:	<p>TINA K. HAWKINSON (daughter) THERESA HORG (granddaughter)</p> <p>40 days since DOD</p> <p>No other proceedings</p> <p>I&A - \$110,000.00 (real property)</p> <p>Decedent died intestate</p> <p>Petitioners request court determination that decedent's 100% interest in real property located at 5159 E. Balch Avenue in Fresno, CA pass to them in equal (50%) shares, pursuant to intestate succession.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Item 9a(3),(4) is not checked regarding if decedent is survived by a registered domestic partner. Item 9a(2)(b) of petition shows decedent has a deceased spouse. Need date of death of deceased spouse pursuant to Local Rule 7.1.1D. Order is incomplete. Need new order.
Cont. from			
<input type="checkbox"/> Aff.Sub.Wit.			
<input checked="" type="checkbox"/> Verified			
<input checked="" type="checkbox"/> Inventory			
<input type="checkbox"/> PTC			
<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 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 type="checkbox"/> Order	X		
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
		<p>Reviewed by: SEF</p> <p>Reviewed on: 5/17/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 16- Bowles</p>	

Petition to Determine Succession to Real Property

DOD: 10/4/14		ANTONIO GONZALES and ROSE PINEDA are Petitioners. (Relationship not stated)	NEEDS/PROBLEMS/COMMENTS:
		40 days since DOD	<u>CONTINUED TO 7/5/16</u> Per attorney request
Cont. from 042516		No other proceedings	
	Aff.Sub.Wit.		<ol style="list-style-type: none"> 1. The petition is blank at #9a(3) and (4) re registered domestic partner. 2. Need Attachment #11, which should provide the legal description of the real property, a description of the personal property, and state the decedent's interest in all assets. 3. Need Attachment #13, which should state the specific property interest claimed by each petitioner. 4. Need Attachment #14, which should list all heirs (names, ages, relationships) pursuant to Probate Code §13152(a)(7). If deceased, need date of death pursuant to Local Rule 7.1.1.D. 5. The Inventory and Appraisal attached to the petition is not verified by the petitioners or signed by the attorney. 6. If there are other persons listed at Attachment #14, need notice to those entitled. 7. Need revised proposed order with attachments 9a and 9b. (Attaching only the I&A descriptions is not appropriate.)
✓	Verified		
✓	Inventory	X	
	PTC		
	Not.Cred.		
✓	Notice of Hrg	X	
✓	Aff.Mail		
	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		
			Reviewed by: skc
			Reviewed on: 5/17/16
			Updates: 5/19/16
			Recommendation:
			File 17- Gonzales

Dept. 303, 9:00 a.m. Monday, May 23, 2016

Age: 1	<p align="center"><u>NO TEMPORARY REQUESTED</u></p> <p>RACHAEL OROSCO, paternal grandmother, is petitioner.</p> <p align="center"><u>Please see additional page</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> Maternal Grandfather (Unknown) 	
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.			n/a
<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			
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<input type="checkbox"/> Aff. Posting			
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<input checked="" type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
		Reviewed by: LV	
		Reviewed on: 05/18/2016	
		Updates:	
		Recommendation:	
		File 18- Gonzales	

Petitioner Stephen D. Anderson (Pro Per, maternal grandfather)
 Petitioner Ann P. Anderson (Pro Per, maternal grandmother)

Petition for Appointment of Guardian of the Person and Estate

		TEMPORARY GRANTED EX PARTE EXPIRES 3/30/2016; extended to 5/23/2016	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note for background: <i>Minute Order</i> dated 3/30/2016 from the hearing on the temporary petition states Dolyna Evans, paternal grandmother, represents that she sees no danger resulting from Jason Hunt, father, being served for the general hearing in his current condition. Petitioners report that at this time the medical examiner has not yet determined the cause of death of the mother, but has stated that there were no external factors of death. The Court directs that Jason Hunt is to be properly served for the general hearing on 5/23/2016. The Court orders that there shall be no visitation for Jason Hunt until he appears before the Court. Michael Hunt, paternal grandfather, and Dolyna Evans may visit as mutually agreed by all parties.</p> <p style="text-align: center;"><i>~Please see additional page~</i></p> <p>Reviewed by: LEG Reviewed on: 5/17/16 Updates: Recommendation: File 19- Anderson</p>	
		STEPHEN D. ANDERSON and ANN P. ANDERSON, maternal grandparents, are Petitioners.		
Cont. from		<p><u>Estimated Value of the Estate: TBD</u></p> <p style="text-align: center;"><i>~Please see Petition for details~</i></p> <p>Court Investigator's Report was filed on 5/16/2016.</p>		
<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			
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<input checked="" type="checkbox"/>	Pers.Serv.			
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<input type="checkbox"/>	Objections			
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<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

NEEDS/PROBLEMS/COMMENTS, continued:

1. Petitioners state that the current value of the mother's estate, life insurance policies, etc., are unknown at this time. Item 7 of the *Petition* regarding character and estimated value of the estate indicates the estate is "to be determined." The Court cannot exercise oversight of property of the child that is not currently existing nor anticipated to be received by the child in the near future. Unless the Petitioners know or have reason to know of life insurance funds or an inheritance that will with certainty be soon received by the child from an identified and specific source that Petitioner can demonstrate to the Court, the petition for guardianship of the estate should be denied and dismissed for lack an estate of the child at this time. Need information regarding the character and estimated value of the child's estate, if any.

Note: If petition for Guardianship of the Estate is granted, Court will set status hearings as follows:

- **Thursday June 23, 2016 at 9:00 a.m. in Dept. 303 for receipt of funds in blocked account;**
- **Thursday, September 22, 2016 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and**
- **Thursday July 20, 2017 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution.**

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

20 Trust Created by Bernadette A. Zimmerer (now Bernadette A. Pachetta) dated 12/12/1978

Case No. 16CEPR00368

Attorney Nicholas L. Lucich, Jr. (for Petitioner Boyd C. Zimmerer, Trustee)

Petition for Order Approving Modification of Trust Based on Consent of Grantor and Beneficiaries and Due to Changed Circumstances

		<p>BOYD C. ZIMMERER, son and Trustee, is Petitioner.</p> <p align="center"><i>~Please see Petition for details~</i></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
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			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: LEG	
			Reviewed on: 5/18/16	
			Updates:	
			Recommendation:	
			File 20- Zimmerer	

Petition to Appoint Successor Trustee

Charles Wade DOD: 2/25/02	<p>KEVIN WADE, Sole Beneficiary, is Petitioner.</p> <p>Petitioner states following the death of the Trustors, the trust designates Steven Wade, Dottie Avery, and Linda Champion to serve as co-trustees. Linda Champion predeceased Wanda Wade, and because Dottie Avery had been diagnosed with dementia, Steven Wade served as sole trustee. Steven Wade died on 3/9/16. The trust now lacks a trustee.</p> <p>Because Steven Wade died without issue, Petitioner is the sole beneficiary. By execution of this petition, Petitioner designates JAMES PINEDO as trustee of the Wade Family Trust.</p> <p>Agreement to Serve as Trustee signed by Mr. Pinedo was filed concurrently with this petition on 4/4/16.</p> <p>Petitioner prays for an order:</p> <ol style="list-style-type: none"> Appointing James Pinedo as Trustee of the Wade Family Trust dated 1/22/01, and vesting him with all the powers vested in the office of the trustee under the trust instrument; For costs herein; and For such other orders as the Court may deem proper. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> Pursuant to Probate Code §15602, an individual not named as a trustee in the trust may be required to bond unless waived by all beneficiaries. Petitioner does not address bond in this petition. If bond will be required, need estimated value of trust, and the Court will set a status hearing for the filing of the bond. 	
Wanda Wade DOD: 2/25/14			
Linda Champion DOD: 11/29/03			
Steven Wade DOD: 3/9/16			
<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			
		<p>Reviewed by: skc</p> <p>Reviewed on: 5/18/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 21- Wade</p>	

**Petition for Probate of Will and for Letters of Administration with Will Annexed;
Authorization to Administer Under the IAEA**

DOD: 9/12/15	ARTHUR R. ELM , Son, is Petitioner and requests appointment as Administrator with Will Annexed, with Full IAEA with bond of \$165,000.00.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. The Court may require publication in the Fowler Ensign pursuant to Local Rule 7.9.</p> <p><u>Note:</u> If granted, the Court will set status hearings as follows:</p> <ul style="list-style-type: none"> Monday, July 11, 2016 for filing bond Monday, October 24, 2016 for filing the Inventory and Appraisal Monday, July 24, 2017 for filing the first or final account
	Named Executor Ricard Arrue declines to act.	
<input checked="" type="checkbox"/> Aff.Sub.Wit.	Full IAEA – ok	
<input checked="" type="checkbox"/> Verified	Will dated 7/29/95	
Inventory	Residence: Fowler Publication: Business Journal	
PTC	<p>(Declaration re Publication Made in Good Faith states due to oversight, publication was made in the Business Journal rather than the Fowler Ensign per Local Rule 7.9, as it was unknown whether the residence was within the city limits. After receiving a copy of the deed, it was realized that it was within city limits. However, publication in the Business Journal was a good faith effort to provide notice in the county of which the decedent resided as the Business Journal is a publication of general circulation in the county per Probate Code §8122.)</p>	
Not.Cred.		
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail		
<input checked="" type="checkbox"/> Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters		
Duties/Supp		
Objections	Estimated value of Estate: Personal property: \$5,000.00 Real property: \$85,000.00 (\$160,000.00 less encumbrance of \$75,000.00)	
Video Receipt	Probate Referee: Steven Diebert	
CI Report		
9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: skc
		Reviewed on: 5/19/16
		Updates:
		Recommendation:
		File 23- Elm

Petitioner Gretta Christa (Pro Per, daughter)

Petition for Appointment of Temporary Conservator of the Person

		<u>GENERAL HEARING SET FOR 6/2/2016</u>	NEEDS/PROBLEMS/COMMENTS: 1. <i>Medical Capacity Declaration</i> filed 4/18/2016 is marked at Item 7(b) to indicate that the proposed Conservatee lacks capacity to give informed consent to medical treatment, but the declaration is not initialed by the physician as required to support the Petitioner's request for medical consent powers. Need revised <i>Medical Capacity Declaration</i> that supports the request for medical consent powers to be filed with the Court prior to the general hearing set for 6/2/2016. 2. Need proposed order (proposed letters have already been submitted.)
		GRETTA CHRISTA , daughter, is Petitioner and requests appointment as Conservator of the Person.	
		~Please see Petition for details~	
Cont. from 050216		Court Investigator's Report was filed on 4/22/2016.	
	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	X	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 5/18/16
			Updates:
			Recommendation:
			File 24- Petrossian

25 Daniel Newman (GUARD/P)

Case No. 16CEPR00488

Petitioner: Kristie Leigh Newman (Pro per – Maternal grandmother)

Petitioner: Roger Dale Newman (Pro per – Maternal grandfather)

Petition for Appointment of Temporary Guardian of the Person

		<u>GENERAL HEARING 7/12/2016</u>	NEEDS/PROBLEMS/COMMENTS:
		KRISTIE LEIGH NEWMAN and ROGER DALE NEWMAN , maternal grandparents, are petitioners	
		<i>See petition for details.</i>	<p>1. Need proof of personal service of <i>Notice of Hearing</i> with copy of petition 5 court days prior to hearing <u>or</u> consent and waiver of notice on father, unless court dispenses with notice.</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	x	
<input type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	x	
<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: SEF
			Reviewed on: 5/20/2016
			Updates:
			Recommendation:
			File 25- Newman

Attorney Summer A. Johnson (for Petitioner Debra Weed, daughter)

Petition for Appointment of Temporary Conservator of the Person and Estate

		GENERAL HEARING SET FOR 6/21/2016	NEEDS/PROBLEMS/COMMENTS:
		DEBRA WEED, daughter, is Petitioner and requests appointment as Conservator of the Person and Estate with bond.	Court Investigator Advised Rights on 5/12/2016.
Cont. from			1. Need <i>Notice of Hearing</i> and proof of five (5) court days' notice by personal service of the <i>Notice of Hearing</i> and a copy of the <i>Petition for Appointment of Temporary Conservator</i> for:
<input type="checkbox"/>	Aff.Sub.Wit.		<ul style="list-style-type: none"> Margaret Weed, proposed Conservatee.
<input checked="" type="checkbox"/>	Verified		2. Pursuant to Probate Code 2250(e), need proof of five (5) court days service by mail of the <i>Notice of Hearing</i> and a copy of the <i>Petition for Appointment of Temporary Conservator</i> for:
<input type="checkbox"/>	Inventory		<ul style="list-style-type: none"> Devin Weed, son; Donald Weed, son; Joseph Carinci, brother; Danielle Williams, granddaughter; Sheryl Jones, granddaughter; Teri Quetzal, granddaughter.
<input type="checkbox"/>	PTC		3. Petitioner requests authority to have the proposed Conservatee examined and treated by appropriate physicians skilled in the expertise areas necessitated by her serious medical conditions, and to consent to all non-psychosis and non-dementia related medical treatments. Petitioner has not filed a <i>Medical Capacity Declaration</i> in support of Petitioner's request pursuant to Probate Code § 1890(c).
<input type="checkbox"/>	Not.Cred.		~Please see additional page~
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	X	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input checked="" type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		Reviewed by: LEG
<input type="checkbox"/>	Status Rpt		Reviewed on: 5/18/16
<input type="checkbox"/>	UCCJEA		Updates:
<input type="checkbox"/>	Citation		Recommendation:
<input type="checkbox"/>	FTB Notice		File 26- Weed

Court Investigator's Report was filed on 5/16/2016.

NEEDS/PROBLEMS/COMMENTS, continued:

4. Attachment 3 to the temporary petition filed on 5/10/2016 inappropriately contains attached as Exhibit A an After-Visit Summary by proposed Conservatee's physician, which should not be filed in Court records due to potential HIPPA violations and disclosures of medical diagnoses (bank account numbers contained in Exhibit C have been redacted.)

Note: If temporary *Petition* is granted, Court will set status hearing as follows:

- **Thursday, June 23, 2016 at 9:00 a.m. in Dept. 303 for filing of proof of bond.**

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

Age: 17	<u>GENERAL HEARING 07/13/2016</u>	NEEDS/PROBLEMS/COMMENTS:
	JEREMY RICHARDSON , brother, is petitioner and requests appointment as guardian of the person and estate without bond.	1. Attachment 1e of the Temporary Petition requests the power to fix the residence of the ward; power to give consent to health care needs of the ward; and power to represent the ward in any school related matters. Each of these requests are general powers of a guardian.
	<u>Please see petition for details</u>	2. Petition states the minor receives \$866.00 in adoption assistance for monthly living expenses for the proposed ward. Is guardianship of the estate necessary or can a payee be designated?
Cont. from		3. Petition states the annual gross income of the proposed ward is \$8,000.00. At attachment 1c of the petition it states the proposed ward receives \$866 per month in adoption assistance which would make for a total of \$10,392.00 per year. Need clarification.
<input type="checkbox"/> Aff.Sub.Wit.		4. Petition states the annual income of the proposed ward is \$866 per month in adoption assistance. It is the Court's policy in a guardianship to place all funds in a blocked account absent good cause showing however if funds are not blocked then bond would be required pursuant to Probate Code §2320. If the Court requires bond it should be set at \$11,431.20.
<input checked="" type="checkbox"/> Verified		Reviewed by: LV
<input type="checkbox"/> Inventory		Reviewed on: 05/18/2016
<input type="checkbox"/> PTC		Updates:
<input type="checkbox"/> Not.Cred.		Recommendation:
<input type="checkbox"/> Notice of Hrg	n/a	File 27- Richardson
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	n/a	
<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		

Status RE: Filing of an Amended Petition

	<p>ROCHELLE ROSENBALM, Conservator with bond of \$774,480.48, filed her First and Final Account on 2/16/16.</p> <p>Examiner Notes indicated various deficiencies.</p> <p>At hearing on 3/28/16, the Court set this status hearing for the filing of an amended petition.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR</u> Amended petition filed 5/10/16 is set for hearing on 6/22/16</p>
Cont. from 050916		
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: 5/17/16
		Updates:
		Recommendation:
		File 28- Keehn

Attorney Alan D. Khalfin, of Burlingame (for George E. Berz, Executor)

Waiver of Final Account of Executor and Petition for Final Distribution, and for Allowance of Statutory and Extraordinary Compensation

DOD: 10/18/2008		<p>GEORGE E. BERZ, son and Executor, is Petitioner.</p> <p>Accounting is waived.</p> <p>I & A — \$226,657.01 POH — \$179,912.39 <i>(all cash)</i></p> <p>Executor — waives</p> <p>Attorney — \$3,716.00 <i>(less than \$7,433.14 statutory)</i></p> <p>Attorney X/O — \$1,445.00 <i>(for sale of real property; for 4.4 hours @ \$175/hour paralegal rate and 1.8 hours @ \$375/hour attorney rate;)</i></p> <p>Distribution pursuant to Decedent's Will is to:</p> <ul style="list-style-type: none"> • RYAN WELLMAN – 50% interest consisting of [\$87,375.69] cash; • KOREN KNOX – 25% interest consisting of [\$43,687.85] cash; • GEORGE BERZ – 25% interest consisting of [\$43,687.85] cash. 	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>OFF CALENDAR</p> <p><i>Order of Final Distribution on Waiver of Accounting filed 5/16/2016.</i></p>
Cont. from 051616			
<input type="checkbox"/>	Aff.Sub.Wit.		
<input 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 checked="" type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters 081415		
<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 type="checkbox"/>	FTB Notice		
		Reviewed by: LEG	
		Reviewed on: 5/20/16	
		Updates:	
		Recommendation:	
		File 29- Berz	