



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

(1) Fifth and Final Account and Report of Successor Conservator and (2) Petition for Allowance of Compensation to Successor Conservator and Attorney for (3) Distribution

DOD: 01/16/14	PUBLIC GUARDIAN , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 06/18/13 – 01/17/14	
	Accounting - \$152,882.35	
	Beginning POH - \$119,074.74	
	Ending POH - \$129,717.41	
Cont. from	Subsequent account period: 01/17/14 – 04/04/14	
<input type="checkbox"/> Aff.Sub.Wit.	Accounting - \$137,200.13	
<input checked="" type="checkbox"/> Verified	Beginning POH - \$129,717.41	
<input type="checkbox"/> Inventory	Ending POH - \$127,011.84	
<input type="checkbox"/> PTC	Conservator - \$559.60 (4.9 staff hours @ \$76/hr. and 1.95 Deputy hours @ \$96/hr.)	
<input type="checkbox"/> Not.Cred.	Attorney - \$1,000.00 (Less than allowed per Local Rule)	
<input checked="" type="checkbox"/> Notice of Hrg	Bond Fee - \$386.90 (ok)	
<input checked="" type="checkbox"/> Aff.Mail w/	Costs - \$435.00 (filing fees)	
<input type="checkbox"/> Aff.Pub.	Petitioner states that the conservatee died intestate and is survived by his sister, Isabel Valdez. Ms. Valdez has executed an affidavit pursuant to Probate Code § 13101. After payment of allowed fees and commissions, Petitioner requests distribution of the remaining cash of \$123,265.59 and personal property valued at \$1,364.75 be made to Ms. Valdez.	
<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"/> 2620(c) n/a		
<input checked="" type="checkbox"/> Order	Petitioner prays for an Order:	
<input type="checkbox"/> Aff. Posting	1. Approving, allowing and settling the fifth and final account;	
<input type="checkbox"/> Status Rpt	2. Authorizing the conservator and attorney fees and commissions;	
<input type="checkbox"/> UCCJEA	3. Authorizing payment of the bond fee;	
<input type="checkbox"/> Citation	4. Authorizing petitioner to distribute the balance of property on hand to Isabel Valdez.	
<input type="checkbox"/> FTB Notice		
		Reviewed by: JF
		Reviewed on: 06/06/14
		Updates:
		Recommendation:
		File 2 - Reyes

(1) First and Final Account and Report of Executor and (2) Petition for Allowance of Compensation to his Attorney and (3) Reimbursement to Executor for Funeral Expenses and (4) Closing of an Insolvent Estate

DOD: 10-29-08	BRIAN FRY , Executor with Full IAEA without bond, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 2-10-14, 3-18-14, 4-29-14</p> <p>Minute Order 4-29-14: Counsel informs the court that she received information that there are more assets in the estate. Counsel will be filing an amended petition.</p> <p>As of 6-6-14, nothing further has been filed. The following issues remain:</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGE</u></p> <hr/> <p>Reviewed by: skc</p> <p>Reviewed on: 6-6-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 3 – Fry</p>
	Account period: 1-27-09 through 11-30-13	
	Accounting: \$4,727.19	
	Beginning POH: \$4,727.19	
	Ending POH: \$4,727.19	
Cont. from 021014, 031814, 042914	Executor (Statutory): Waives	
<input type="checkbox"/> Aff.Sub.Wit.	Executor: \$1,792.19 (Partial reimbursement for funeral costs)	
<input checked="" type="checkbox"/> Verified	Attorney: \$2,500.00	
<input checked="" type="checkbox"/> Inventory	Attorney LeVan states she expended 16 hours @ \$200/hr, which would be \$3,200.00; however, is willing to accept \$2,500.00 as total payment for her services to the estate.	
<input checked="" type="checkbox"/> PTC	Examiner's Note: Statutory fee based on the estate value pursuant to Probate Code §10800 would be \$189.09.	
<input checked="" type="checkbox"/> Not.Cred.	Costs: \$435.00 (filing fee for this petition)	
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner lists the five Creditor's Claims filed against the estate at Exhibit A.	
<input checked="" type="checkbox"/> Aff.Mail W	Petitioner requests that:	
<input type="checkbox"/> Aff.Pub.	1. Notice of Hearing of this account, report, and petition be given as required by law;	
<input type="checkbox"/> Sp.Ntc.	2. The Court make an order approving, allowing, and settling the account and report of the conservator [sic] in all respects as filed;	
<input type="checkbox"/> Pers.Serv.	3. The Court authorize Petitioner to pay his attorney \$2,500.00 as compensation for her services during the period of this accounting;	
<input type="checkbox"/> Conf. Screen	4. The Court authorize partial reimbursement for funeral expenses to Petitioner in the amount of \$1,792.19;	
<input checked="" type="checkbox"/> Letters	5. The Court authorize the Petitioner to close this estate due to exhaustion of all assets; and	
<input type="checkbox"/> Duties/Supp	6. Any other orders that the Court considers proper.	
<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		

NEEDS/PROBLEMS/COMMENTS (Cont'd):

1. This accounting is incomplete and does not contain all applicable schedules and documentation required by Probate Code §§ 10900, 1060 et seq. If accounting is to be waived, need waiver from Craig Fry.
2. Petitioner lists the four (4) Creditor's Claims that were filed (totaling \$16,537.21), but does not state the action taken on the claims pursuant to Probate Code §10900. Therefore it does not appear that the estate is in a position to close.

Update: Allowances for all of the claims have now been filed and notice of hearing has been served on the creditors. However, Petitioner has still not addressed the claims pursuant to §10900.

3. I&A filed 12-24-08 indicated \$4,727.19 in cash in a checking account and an investment account ("American Century Investments") as of the decedent's date of death (10-29-08). Petitioner now states the POH at the end of this account period (11-30-13) is the same amount. If \$4,727.19 has been untouched (no receipts, no disbursements) in a checking account and an investment account for approx. five years, why wasn't interest earned? One of the duties of the personal representative is to maintain funds in interest-bearing accounts. See Duties and Liabilities signed by Petitioner and filed 12-24-08. Petitioner does not indicate any change in the form of the assets, therefore, it is unclear why no interest was earned.
4. Petitioner waives statutory compensation but requests reimbursement for \$1,792.19 in funeral costs. However, no documentation is provided. The Court may require clarification.
5. Attorney requests compensation of \$2,500.00, stating that this is less than what is owed for the work performed. However, the statutory fee pursuant to Probate Code §10800 based on the value of the estate (\$4,727.19) would be only \$189.09. The attorney does not provide itemization that would be required for extraordinary compensation, nor would the work performed be considered extraordinary. Further, this estate was opened in 2008 and is approx. four years delinquent in its closing.

Pursuant to Probate Code §12205, the Court may reduce the compensation of the personal representative or the attorney for the personal representative if the time taken for administration exceeds the time required by Probate Code §12200 (one year), the time taken was within the control of the personal representative or the attorney, and the delay was not in the best interest of the estate.

In this case, there does not appear to be any reason why administration was delayed, and as mentioned above, it does not appear that the estate funds were held in an interest-bearing account during this time, to the detriment of the creditors and the heirs.

6. New: Per Minute Order 4-29-14, there are more assets and an amended petition is necessary.

(1) First and Final Account of Executor and Petition for its Settlement; (2) for Allowance of Fees and (3) for Final Distribution

DOD: 03/27/10	HAROLD G. NELSON , Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:	
	Account period: 03/27/10 – 08/31/12		
Cont. from	Accounting - \$125,847.21		
<input type="checkbox"/> Aff.Sub.Wit.	Beginning POH - \$111,291.94		
<input checked="" type="checkbox"/> Verified	Ending POH - \$17,847.36 (\$17,743.08 is cash)		
<input checked="" type="checkbox"/> Inventory			
<input checked="" type="checkbox"/> PTC	Executor - \$4,685.42 (statutory)		
<input checked="" type="checkbox"/> Not.Cred.			
<input checked="" type="checkbox"/> Notice of Hrg	Attorney - \$4,685.42 (statutory)		
<input checked="" type="checkbox"/> Aff.Mail w/			
<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.	Attorney x/o - \$1,499.50 (related to the sale of real property, itemized by date for 4.9 hours of attorney time @ \$280/hr. and .3 hours of paralegal time @ \$85/hr. and .85 hours of paralegal time @ \$120/hr.)		
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters 06/02/10			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections	Closing - \$2,000.00		
<input type="checkbox"/> Video Receipt	Distribution, pursuant to decedent's will, is to:		
<input type="checkbox"/> CI Report			
<input checked="" type="checkbox"/> 9202	Harold Nelson - \$2,436.37 cash, plus a portion of stocks valued at \$50.64		
<input checked="" type="checkbox"/> Order			
<input type="checkbox"/> Aff. Posting	Harry N. Nelson - \$487.27 cash, plus a portion of stocks valued at \$10.13		
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input checked="" type="checkbox"/> FTB Notice	Christina Nelson - \$487.27 cash, plus a portion of stocks valued at \$10.13 Tanya Nelson - \$487.27 cash, plus a portion of stocks valued at \$10.13 Ester Nelson - \$487.27 cash, plus a portion of stocks valued at \$10.13 Harry J. Nelson - \$487.27 cash, plus a portion of stocks valued at \$10.13		
			Reviewed by: JF
			Reviewed on: 06/06/14
		Updates:	
		Recommendation:	
		File 4 - Nelson	

(1) Report on Waiver of Account and (2) Petition for Its Settlement, for (3) Allowance of Attorney Fees and Costs and for (4) Final Distribution

DOD: 04/08/13	CYNTHIA GERRINGER , Administrator, is Petitioner.	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p style="text-align: center;"><u>OFF CALENDAR</u> Amended Waiver of Account filed 05/30/14 and set for hearing on 07/01/14</p> <p>1. The Petition references a final Inventory & Appraisal filed 06/15/13 in the amount of \$108,765.39 on page 3, item 10. However the Final Inventory & Appraisal was filed 10/04/13 reflecting assets in the amount of \$108,618.76. Therefore, it appears that the total assets of the estate equal \$244,618.76 rather than \$244,765.39. This difference also effects the calculation of the statutory fees.</p> <p>2. Need Order.</p> <p>Note: Examiner calculates the fee base to be \$271,975.20 and the statutory fee to be \$8,439.50, resulting in \$60,375.83 to be distributed to each beneficiary.</p> <p>Reviewed by: JF</p> <p>Reviewed on: 06/05/14</p> <p>Updates:</p> <p>Recommendation: File 5A – Copeland</p>
	Accounting is waived.	
Cont. from 011614, 021314, 032614, 052314	I & A - \$244,765.39 (see note 1)	
<input type="checkbox"/> Aff.Sub.Wit.	POH - \$138,065.65 (all cash)	
<input checked="" type="checkbox"/> Verified	Administrator - \$8,442.44 (statutory, see note 1)	
<input checked="" type="checkbox"/> Inventory	Attorney - \$8,442.44 (statutory, see note 1)	
<input checked="" type="checkbox"/> PTC	Costs - \$435.00 (filing fee)	
<input checked="" type="checkbox"/> Not.Cred.	Distribution, pursuant to intestate succession, is to:	
<input checked="" type="checkbox"/> Notice of Hrg	John Robert Marin - \$60,372.88	
<input checked="" type="checkbox"/> Aff.Mail w/	Cynthia Geringer - \$60,372.88	
<input type="checkbox"/> Aff.Pub.	Objections to Report and Waiver of Account and Objection to Petition for its Settlement; Points and Authorities	
<input type="checkbox"/> Sp.Ntc.	filed 01/13/14 by Eleanor Copeland states:	
<input type="checkbox"/> Pers.Serv.	1. Objector is the sole heir of decedent's predeceased spouse and is entitled to inherit 1/2 of the community property under Probate Code § 6402.5(a)(2), 6402.5(b)(2) and 240.	
<input type="checkbox"/> Conf. Screen	2. The Petition erroneously states that the estate consists entirely of the decedent's separate property.	
<input type="checkbox"/> Letters 06/27/13	3. Decedent's estate consists of a residence purchased during her 38 year marriage and decedent's income, earned while married, which funded her pension.	
<input type="checkbox"/> Duties/Supp	Continued on Page 2	
<input checked="" type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input checked="" 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 checked="" type="checkbox"/> FTB Notice		

4. Decedent did not designate a beneficiary for her pension and that pension plan has terminated. Those funds are now **former ERISA plan benefits**. (Emphasis in original) The former pension funds have been paid to the Administrator, as they come into decedent's estate, they retain their community property character, and are distributable with other community property.
5. The Petition for Probate appointing Petitioner as Administrator of Decedent's estate failed to state that decedent was survived by a parent of a predeceased spouse and Objector is objecting on that basis. Decedent's husband, George L. Copeland, died on 05/21/09.
6. Objector is an intestate heir of decedent's predeceased spouse under Probate Code § 6402.5(a)(2), 6402.5(b)(2) and has standing to bring these objections. Objector requests judicial notice under Evidence Code § 452(d) of her petition to determine heirship and the beneficial interests of the intestate heirs thereunder.
7. The pension funds that were distributed to the Administrator consist of IBM Retirement Savings and a beneficiary account with the IBM 401(k) Plus Plan.
8. Decedent's residence on Stanford in Clovis is community property of decedent and her predeceased husband George Copeland. The property was purchased on 06/22/88, during their marriage, they were married on 11/16/72.
9. By law ERISA (Employment Retirement Income Security Act of 1974) federal preemption is limited. California law still creates a community property interest in decedent's income earned during the marriage.
10. Once an ERISA-qualified plan terminates or the participant terminates his or her interest in the plan and the benefits are transferred out of the plan, ERISA no longer applies and there is no federal preemption. In this case, decedent did not designate a pension plan beneficiary, and the funds were property distributed to the Administrator for disposition in decedent's estate.
11. A community property interest in acquired during marriage and before separation. A spouse's community property interest arises at the time it is acquired and is not affected by a change in the form of the property. Its community property status can only be altered by judicial decision or joint action between the parties.
12. In California, the community vs. separate character of property is determined by reference to the time of its acquisition.
13. Both the residence and the IBM Pension funds were acquired during the marriage. The proceeds from the sale of the marital residence and the former 401(k) pension funds are community property and one-half is distributable under community property principles to the heirs of a predeceased spouse under Probate Code § 6402.5(a)(2) and 6402.2(b)(2). Accordingly, one-half of the estate should be distributed to Objector as the sole heir of the predeceased spouse, and one-half should be distributed to the decedent's heirs at law, being her brother and sister.

Objector prays for an Order:

1. Denying the request to settle the report on waiver of account and the petition thereon;
2. Find that the estate consists entirely of community property;
3. Set bond in an appropriate amount as Objector has not waived bond; and
4. Order that community property be distributed pursuant to Objector's petition to determine heirship.

Petition to Determine Heirship

DOD: 04/08/13	ELEANOR COPELAND , is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Petitioner states:	CONTINUED FROM 05/23/14
	1. She is the mother of George Copeland, predeceased spouse of decedent Rebecca Copeland and is entitled to inherit under the laws of intestacy set forth in Probate Code § 6402.5(a)(2) and 6402.5(b)(2) and 240.	As of 06/05/14, nothing further has been filed in this matter.
Cont. from 011614, 021314, 032614, 052314	2. Decedent died intestate on 04/08/13 leaving an estate in Fresno County, California.	1. Need Order.
<input type="checkbox"/> Aff.Sub.Wit.	3. Decedent's siblings are entitled to inherit under Probate Code § 6402(c).	
<input checked="" type="checkbox"/> Verified	4. Cynthia Gerring, decedent's sister, filed a Petition for Probate on 05/21/13 and is now the Administrator of decedent's estate.	
<input type="checkbox"/> Inventory	5. Petitioner's son, George Copeland, was married to the decedent until his death on 05/21/09. Since George died less than 5 years before the decedent's death, Petitioner is entitled to one-half of the decedent's community property (Probate Code § 6402.5(a)(2).	
<input type="checkbox"/> PTC	6. Petitioner alleges that the estate should be divided as follows:	
<input type="checkbox"/> Not.Cred.	<u>Community Property:</u>	
<input checked="" type="checkbox"/> Notice of Hrg	- 1/2 to Eleanor Copeland, mother of predeceased spouse of the decedent	
<input checked="" type="checkbox"/> Aff.Mail w/	- 1/4 to John Robert Marin, brother of decedent	
<input type="checkbox"/> Aff.Pub.	- 1/4 to Cynthia Gerring, sister of decedent	
<input type="checkbox"/> Sp.Ntc.	<u>Separate Property:</u>	
<input type="checkbox"/> Pers.Serv.	- 1/2 to John Robert Marin, brother of decedent	
<input type="checkbox"/> Conf. Screen	- 1/2 to Cynthia Gerring, sister of decedent	
<input type="checkbox"/> Letters	Birth/Death and Marriage Certificates attached to Petition.	
<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		
	Petitioner prays that the Court determine the heirship and entitlement to the estate.	Reviewed by: JF
		Reviewed on: 06/05/14
		Updates:
		Recommendation:
		File 5B - Copeland

Status Hearing Re: Settlement Agreement

DOD: 04/08/13	CYNTHIA GERRINGER, Administrator, filed a Report on Waiver of Account and Petition for its Settlement , etc. on 11/20/13.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 05/23/14</u> 1. Need updated status report regarding settlement agreement.
	ELEANOR COPELAND, mother of decedent's predeceased spouse, filed Objections to Report and Waiver of Account and Objections to Petition for its Settlement and a Petition to Determine Heirship on 01/13/14.	
Cont. from 052314		
Aff.Sub.Wit.	On 03/26/14, the parties engaged in a Settlement Conference. Minute Order from Settlement Conference set this matter for Status Re: Settlement Agreement and states: The Court notes that Ms. Nichols has been authorized to enter into an agreement on behalf of Eleanor Copeland. Parties engage in settlement discussions with the Court. Parties reach a resolution. Upon inquiry by the Court, each party individually agrees to the terms and conditions of the settlement. Counsel to prepare the agreement.	
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: JF
		Reviewed on: 06/05/14
		Updates:
		Recommendation:
		File 5C - Copeland

Probate Status Hearing Re: Failure to File the Inventory and Appraisal and or Failure to File a First Account or Petition for Final Distribution

DOD: 12/01/2002	<p>JUDY RILEY, daughter, was appointed Administrator with will annexed without bond on 09/06/2005.</p> <p>Letters issued on 09/06/2005.</p> <p>Inventory and Appraisal as due on 02/2006.</p> <p>First Account or Petition for Final Distribution was due on 11/2006.</p> <p>Notice of Status Hearing was mailed to Attorney Michael A. Milnes and Judy Riley on 11/21/2013.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 05/09/2014: No appearances. Michael Milnes is ordered to be personally present on 06/10/2014.</p> <p>Minute Order of 05/09/2014 on Order to Show Cause Re: Failure to File and Failure to Appear: No appearances. The Court imposes sanctions against Michael Mines and Judy Riley in the amount of \$500.00 each. Sanctions are ordered paid by 05/23/2014.</p> <p>Copy of Minute Order mailed to Michael Milnes and Judy Riley on 05/14/2014.</p> <p>Minute Order of 02/21/2014: No appearances. The Court notes the file has no indication of notices of being returned. The Court issues order to Show Cause with sanctions of \$500 to Judy Riley and Mr. Milnes for failure to file or appear.</p> <p>1. Need Inventory and Appraisal and First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.</p>
Cont. from 022114, 050914		
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: 06/06/2014
		Updates:
		Recommendation:
		File 9 – Eldridge

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

DOD: 10/23/11	<p>BETSY McMILLAN, daughter, was appointed as Executor with full IAEA and without bond on 01/04/12. Letters Testamentary were issued on 01/05/12.</p> <p>Inventory & Appraisal, partial no. 1, filed 03/14/12 - \$64,500.00</p> <p>Inventory & Appraisal, final, filed 11/20/12 - \$72,367.01</p> <p>Notice of Status Hearing filed 11/18/13 set this matter for status regarding failure to file a First Account or Petition for Final Distribution. Clerk’s Certificate of Mailing states that a copy of the Notice of Status Hearing was mailed to attorney Joanne Sanoian and Betsy McMillan on 11/18/13.</p> <p>Unverified Status Report filed 01/30/14 requests a 60 day continuance for the Executor to prepare the First and Final Account.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 04/08/14</u></p> <p>1. Need First Account or Petition for Final Distribution First Account or Petition for Final Distribution and/or current verified status report.</p>
Cont. from 020714		
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: JF
		Reviewed on: 06/05/14
		Updates:
		Recommendation:
		File 11 – Castle

Aleyna, 16 DOB: 07/31/97	LARRY R. GONZALES , father, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
Amelia, 14 DOB: 11/22/99	ANDY GONZALEZ and REBECCA GONZALES , paternal uncle and aunt, were appointed Co-Guardians of the Person on 01/26/12. – <i>Rebecca Gonzales personally served on 01/16/14</i>	CONTINUED FROM 03/18/14 Minute Order from 03/18/14 states: Also present in the courtroom are Amelia Gonzales and Larry Gonzales, Jr. Visitation as to father is modified as follows: father shall have unsupervised visits every other weekend from Friday at 5:00pm until Sunday at 5:00pm beginning this weekend. The Court orders that mother not visit or be in father's residence while the minors are visiting. The Court further orders that minors not be transported in any vehicle unless the driver is licensed and insured. Larry Gonzales, Jr. is authorized to provide transportation to the minors. The Court orders that there be no alcohol or drugs around the minors during visitation. Parties are ordered not to speak ill of one another around the minors. These rules shall apply to anyone present while the minors are visiting with their father. Father is ordered to provide the court investigator a current status report of anything he is doing while on probation, including but not limited to participation in programs and payment of fees. Said status report is to be provided to the court investigator no later than 06/01/14.
Cont. from	Mother: TAMMY L. GONZALES	
<input type="checkbox"/> Aff.Sub.Wit.	Paternal grandfather: ASCENCION GONZALES – deceased	
<input checked="" type="checkbox"/> Verified	Paternal grandmother: LUPE YBARRA	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC	Maternal grandfather: JULIO CRUZ	
<input type="checkbox"/> Not.Cred.	Maternal grandmother: CAROL CRUZ – deceased	
<input checked="" type="checkbox"/> Notice of Hrg	Petitioner states that after 2.5 years, he is now stabilized and drug free. He states that he is now able to care for his children and wants them back.	
<input type="checkbox"/> Aff.Mail		
<input type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input checked="" type="checkbox"/> Pers.Serv.	Objection to Termination of Guardianship filed 03/04/14 by guardians, Rebecca and Andy Gonzales, states: They have recently found out that the father, Larry Gonzales, Sr. has had recent DUI's and is currently on probation that will not be completed until August 2015. Further, he is to attend court required classes. They are also aware that he is not to be driving, but they see him driving regularly. Guardians state that Mr. Gonzales has lied to the girls and told them that he has been sober for 2.5 years and they believe him. Guardians would like the court to clarify for the girls that their father has not been honest about his sobriety as evidenced by the DUI's. Further, the guardians state that the father did not follow through on his scheduled visitation and has only exercised visitation about half of the time that he is allotted.	
<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 checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order	Court Investigator Jennifer Young filed a report on 03/12/14. The report states it appears premature to terminate the guardianship, as the father has only had supervised visits. It is recommended that the Petition be DENIED .	<ol style="list-style-type: none"> 1. Need proof of service by mail at least 15 days before the hearing of <i>Notice of Hearing to Terminate Guardianship or Consent & Waiver of Notice or Declaration of Due Diligence</i> for: <ol style="list-style-type: none"> a. Andy Gonzalez (guardian) b. Tammy L. Gonzales (mother) c. Lupe Ybarra (paternal grandmother) d. Julio Cruz (maternal grandfather)
<input type="checkbox"/> Aff. Posting		Reviewed by: JF
<input type="checkbox"/> Status Rpt		Reviewed on: 06/06/14
<input type="checkbox"/> UCCJEA		Updates:
<input type="checkbox"/> Citation	Court Investigator Jennifer Young filed a supplemental report on 06/03/14. The report states the father, Larry Gonzales, has submitted his written and driving performance evaluation (both passed) and documentation from Kings View Community Service program indicating he is enrolled in their 18 month Multiple Offender Drinking Driver Program to be completed on 10/24/14.	Recommendation:
<input type="checkbox"/> FTB Notice		File 13 – Gonzales

		TEMP EXPIRES 4-29-14, extended to 6-10-14	NEEDS/PROBLEMS/COMMENTS:
		LOIS GEORGINE FERRIS and HERMAN RAY FERRIS , Maternal Grandmother and Step-Grandfather, are Petitioners.	Continued from 4-29-14.
		Father (all minors): UNKNOWN - Declaration OF Due Diligence filed 4-22-14	Minute Order 4-29-14: The court dispenses with further notice of the maternal grandfather noting that he is deceased. Mother is directed to speak to the court investigator and provide contact information. Matter continued to 6-10-14. Temp guardianship extended to 6-10-14.
		Mother: REBECCA DAWN FRENCH - Personally served 3-3-14	As of 6-6-14, nothing further has been filed.
		Paternal grandparents (all minors): Unknown	1. Petitioner filed a Declaration of Due Diligence on 4-22-14 regarding the fathers of the minors. If diligence is not found for the father(s) and paternal grandparents, need notice per Probate Code §1511.
		Maternal Grandfather: Deceased	
		Petitioners state Dustin has been in in Petitioners' care since January 2013 and they have had Jocelyne and Divana since February 2014, when the mother was arrested. CPS placed the children with Petitioners and advised them to seek guardianship. Petitioners state the mother has extensive criminal and CPS history and the fathers are unknown. The minors have settled in with Petitioners and feel safe and secure in their home. Their teachers have noted huge differences since they have lived with Petitioners. Petitioner do not want the minors to be placed in the foster care system.	
		Court Investigator Jennifer Daniel filed a report on 4-22-14.	
			Reviewed by: skc
			Reviewed on: 6-6-14
			Updates:
			Recommendation:
			File 16 – French
Cont from 042914			
<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 type="checkbox"/>	Aff.Mail		
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.	W	
<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 checked="" type="checkbox"/>	Clearances		
<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		