



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) Eighth and Final Account and (2) Report of Conservator and (3) Petition for Allowance of Compensation to Conservator, Attorneys' Fees and Costs, (4) Delivery of Assets and (5) Termination of Conservatorship

| DOD: 11/30/12 | | BARBAR BIGELOW , Conservator, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: |
|-------------------------------------|----------------------|--|--|
| | | Account period: 03/01/11 – 07/31/13 | <p>1. Petitioner requests to distribute the remaining assets in the conservatorship estate pursuant to Probate Code § 13000. Therefore need affidavit from each person entitled to distribution.</p> |
| Cont. from | | Accounting - \$155,931.63 | |
| <input type="checkbox"/> | Aff.Sub.Wit. | Beginning POH - \$13,693.18 | |
| <input checked="" type="checkbox"/> | Verified | Ending POH - \$18,888.48 | |
| <input type="checkbox"/> | Inventory | Conservator - \$840.00 | |
| <input type="checkbox"/> | PTC | Attorney - \$1,123.59 | |
| <input type="checkbox"/> | Not.Cred. | (\$1,005.00 for this accounting period (2.75 hrs. @ \$300/hr. and 1.5 hrs. @ \$120/hr.) plus \$118.59 previously approved unpaid fees from previous accounting period) | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | |
| <input checked="" type="checkbox"/> | Aff.Mail | w/ | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | Costs - \$513.00 (filing fees, courtcall) | |
| <input type="checkbox"/> | Pers.Serv. | Reserve - \$800.00 (for preparation of final tax returns) | |
| <input type="checkbox"/> | Conf. Screen | Petitioner requests to distribute the remaining assets pursuant to Probate Code § 13000, as follows: | |
| <input type="checkbox"/> | Letters | Barbara Bigelow - \$5,203.96 | |
| <input type="checkbox"/> | Duties/Supp | Dianne Andrews - \$5,203.96 | |
| <input type="checkbox"/> | Objections | Roger Peterson - \$5,203.96* | |
| <input type="checkbox"/> | Video Receipt | | |
| <input checked="" type="checkbox"/> | CI Report | | |
| <input checked="" type="checkbox"/> | 2620(c) | | |
| <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 | | |
| | | *Roger Peterson suffers from disabilities, the conservator requests permission to distribute the share allocated for Roger Peterson to the Barbara Bigelow as trustee of a special needs trust established for his benefit under the conservatee's living trust. | |
| | | Reviewed by: JF | |
| | | Reviewed on: 10/04/13 | |
| | | Updates: | |
| | | Recommendation: | |
| | | File 1 - Peterson | |

Petition to Authorize Proposed Action

| | | |
|---|--|---------------------------------|
| Age: 66 DOB: 07/27/47 | THOMAS J. CHENEY , Conservator, is Petitioner. | NEEDS/PROBLEMS/COMMENTS: |
| Conf. from | Petitioner states: | |
| <input type="checkbox"/> Aff.Sub.Wit. | 1. He is the spouse of the conservatee and owns real property in Sanger, CA as a joint tenant with the conservatee. This community property interest in the property is not asset of the conservatorship of the estate. The property is the family home of the conservatee, although the conservatee continues to reside at the Sanger Convalescent Hospital. | |
| <input checked="" type="checkbox"/> Verified | 2. Petitioner seeks an order authorizing him, as conservator, to transfer the conservatee's joint tenancy interest in the property located in Sanger, CA to himself, as spouse of the conservatee. | |
| <input type="checkbox"/> Inventory | 3. The only asset of the conservatorship of the estate is public assistance benefits the conservatee receives totaling \$600.00 per year. On 10/22/03, the Court granted the Conservator's petition to dispense with accounts under Probate Code § 2628(a). Public assistance benefits cover all of the conservatee's needs. | |
| <input type="checkbox"/> PTC | 4. Should the conservatee die, and Petition/spouse survive her, he will succeed to her joint tenancy interest in this property by virtue of his survivorship. Upon the conservatee's death, it is expected that there will be an estate recovery claim submitted by the DHS against the conservatee's joint tenancy interest in the property. It would be in the best interest of the conservatee's probate estate to avoid an estate recovery claim. | |
| <input type="checkbox"/> Not.Cred. | 5. The conservatee lacks the capacity for the proposed action. The proposed action will have no adverse effect on the conservatorship of the estate. The conservatee will continue to receive public assistance benefits. Her interest in the property, the family home, is an exempt asset. | |
| <input checked="" type="checkbox"/> Notice of Hrg | Petitioner contends that if the conservatee had the capacity to consult with an estate planning attorney, and if she realized that her joint tenancy interest in this property would be subject to an estate recovery claim, she would, as a reasonable, prudent person, transfer such interest to her spouse, to avoid such a claim against her probate estate. If the conservatee were to gift or transfer her joint tenancy interest to anyone, it is unlikely that the recipient of this proposed gift or transfer would be the petitioner, the spouse. He is the logical object of the conservatee's bounty. Petitioner has no reason to believe that the conservatee would oppose the proposed action. | Reviewed by: JF |
| <input checked="" type="checkbox"/> Aff.Mail w/ | 6. Conservatee has no will or any other estate plan. Her only asset is her joint tenancy asset in the subject property and as stated, upon her death, Petitioner will succeed to it as a surviving joint tenant. | Reviewed on: 10/10/13 |
| <input type="checkbox"/> Aff.Pub. | Petitioner prays for an Order: | Updates: |
| <input type="checkbox"/> Sp.Ntc. | 1. Authorizing Petitioner to transfer the conservatee's interest in real property in Sanger, CA to Petitioner, a married man, as his sole and separate property. | Recommendation: |
| <input type="checkbox"/> Pers.Serv. | | File 2 - Cheney |
| <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 | | |

(1) Second Account and Report of Conservator, (2) Petition for Settlement, (3) Reimbursement for Mileage, (4) Commissions and Fees to Conservator and Attorney

| | | |
|--|--|--|
| Age: 58 years | BRYAN JENSEN , Conservator, is petitioner. | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order dated 10/2/13 states the court allows the \$25.00 per hour fee. Counsel is ordered to prepare a declaration.</p> <ol style="list-style-type: none"> Disbursement schedule shows a payment to Shepard, Shepard and Janian on 4/21/11 in the amount of \$462.59 without stating the nature and purpose of the payment. Declaration filed on 9/27/13 states this disbursement was for reimbursement of the filing fees, certified copies and miscellaneous costs advanced by their office. Need itemization. Disbursement schedule shows a payment to Shepard, Shepard and Janian on 6/20/11 in the amount of \$55.51 without stating the nature and purpose of the payment. <p style="text-align: center;">Please see additional page</p> |
| | Account period: 1/1/11 – 12/31/12 | |
| | Accounting - \$99,385.86 | |
| | Beginning POH - \$57,863.35 | |
| | Ending POH - \$ 2,841.05 | |
| Cont. from 100213 | Conservator - \$3,090.50 (20 hours @ \$47.00 per hour and 3910 miles @ \$.55 per mile) | |
| <input type="checkbox"/> Aff.Sub.Wit. | Attorney - \$1,250.00 (per Local Rule) | |
| <input checked="" type="checkbox"/> Verified | Current bond is \$25,988.66. Petitioner request bond be reduced to \$5,000.00 \$20,000.00. (declaration filed on 10/1/13) | |
| <input type="checkbox"/> Inventory | Petitioner prays for an Order: | |
| <input type="checkbox"/> PTC | 1. Approving, allowing and settling the second account. | |
| <input type="checkbox"/> Not.Cred. | 2. Authorizing the conservator commissions in the amount of \$3,090.00 | |
| <input checked="" type="checkbox"/> Notice of Hrg | 3. Authorizing attorney in the amount of \$1,250.00. | |
| <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 checked="" type="checkbox"/> 2620(c) | | |
| <input checked="" type="checkbox"/> Order | | |
| <input type="checkbox"/> Aff. Posting | | |
| <input type="checkbox"/> Status Rpt | | |
| <input type="checkbox"/> UCCJEA | | |
| <input type="checkbox"/> Citation | | |
| <input type="checkbox"/> FTB Notice | | |
| | | Reviewed by: KT |
| | | Reviewed on: 10/4/13 |
| | | Updates: |
| | | Recommendation: |
| | | File 5 – Jensen |

NEEDS/PROBLEMS/COMMENTS (cont.):

3. Disbursement schedule shows payments to the Conservator, for court ordered mileage and commissions, in the amount of \$6,762.00 on 5/26/11. Schedule D also shows payment to the conservator of \$6,762.00. Therefore, since Schedule B (disbursements) and Schedule D (disposition of Harry Jensen Estate) are both listed in the same column in the summary of account and are included in the total credits, it appears the conservator has been paid twice for his commissions and mileage.
4. Disbursement schedule shows payments to the attorney, for court ordered fees, in the amount of \$2,945.00 on 6/7/11. Schedule D also shows payment of \$2,945.00 to the attorney. Therefore, since Schedule B (disbursements) and Schedule D (disposition of Harry Jensen Estate) are both listed in the same column in the summary of account and are included in the total credits, it appears the attorney has been paid twice for his fees.
5. Need new order to reflect the additional items now included in the property on hand, the change in the bond amount and the change in the amount of the conservator's commission allowed per minute order dated 10/3/13.

Note: If the petition is granted, a status hearing will be set as follows:

- **Friday, February 6, 2015** at 9:00 a.m. in Department 303, for the filing of the third account.

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.

First Account and Report of Trustee and Petition for Settlement

| | | | |
|-------------------------------------|----------------------|--|---|
| | | BRYAN JENSEN , Trustee, is petitioner. | NEEDS/PROBLEMS/COMMENTS: 1. Disbursement schedule show a disbursement for cigarettes in the amount of \$132.64 on 6/27/12 and another disbursement on 10/18/2012 for two carton cigarettes and wool jacket in the amount of \$185.43. Assets a "Special Needs Trust" are to be used for the "special needs" of the beneficiary. Cigarettes do not appear to be an appropriate disbursement for a "Special Needs" trust. 2. Need proof of service of the Notice of Hearing on: a. Department of Health Care Services b. Director of State Hospitals c. State Department of Developmental Services. |
| | | Account period: 7/6/11 – 12/31/12 | |
| | | Accounting - \$43,133.28 | |
| | | Beginning POH - \$0 | |
| | | Ending POH - \$25,988.99 | |
| Cont. from | | Trustee - not addressed | |
| <input type="checkbox"/> | Aff.Sub.Wit. | Attorney - not addressed | |
| <input checked="" type="checkbox"/> | Verified | Petitioner prays for an Order: | |
| <input type="checkbox"/> | Inventory | 1. Settling, allowing said firs account and report and allowing and confirming petitioner's acts as Trustee. | |
| <input type="checkbox"/> | PTC | | |
| <input type="checkbox"/> | Not.Cred. | | |
| <input checked="" type="checkbox"/> | Notice of Hrg | | |
| <input checked="" type="checkbox"/> | Aff.Mail | W/ | |
| <input type="checkbox"/> | Aff.Pub. | | |
| <input type="checkbox"/> | Sp.Ntc. | | |
| <input type="checkbox"/> | Pers.Serv. | | |
| <input type="checkbox"/> | Conf. Screen | | |
| <input type="checkbox"/> | Letters | | |
| <input type="checkbox"/> | Duties/Supp | | |
| <input type="checkbox"/> | Objections | | |
| <input type="checkbox"/> | Video Receipt | | |
| <input type="checkbox"/> | CI Report | | |
| <input type="checkbox"/> | 9202 | | |
| <input checked="" type="checkbox"/> | Order | | |
| <input type="checkbox"/> | Aff. Posting | | |
| <input type="checkbox"/> | Status Rpt | | |
| <input type="checkbox"/> | UCCJEA | | |
| <input type="checkbox"/> | Citation | | |
| <input type="checkbox"/> | FTB Notice | | |
| | | | Reviewed by: KT |
| | | | Reviewed on: 10/4/13 |
| | | | Updates: |
| | | | Recommendation: |
| | | | File 9 - Jensen |

Petition for Termination of Guardianship

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|-----------------------------|---|--|---|
| Michael age: 7 | <p>MICHAEL RODRIGUEZ, Lanae's father, is petitioner.</p> <p>CRYSTAL FARILY was appointed guardian of both minors on 3/18/2013.</p> <p>Father (of Michael): UNKNOWN</p> <p>Mother: SARA WHITE</p> <p>Paternal grandparents of Michael: Unknown Paternal grandparents of Lanae: Not Listed Maternal grandfather: Melvin White Maternal grandmother: Gloria White – deceased.</p> <p>Petitioner states: he is 29 years old, the father of Lanae Rodriguez. He will be starting a new job with In Home Supportive Services and has made changes in his home and lifestyle and is able to provide for his children. He states he knows how it feels to not have a parent in his life and he is willing to do what it takes.</p> <p>Court Investigator Jennifer Daniel's report filed 08/29/2013.</p> <p>Declaration of DSS Social Worker Keith M. Hodge (18 pages) filed on 3/13/13 for the hearing appointing Crystal Farly as guardian on 3/18/13.</p> | <p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order of 09/10/2013: The Court orders father to provide his contact information to the Clerk's Office forthwith.</p> <p>Minute Order of 07/23/2013: The court continues the matter to 09/10/2013 for the purpose of allowing Mr. Rodriguez to be contacted by the court investigator. The Court indicates to the parties that this will be Mr. Rodriguez's last continuance.</p> <ol style="list-style-type: none"> 1. Need Notice of Hearing. 2. Need proof of personal service fifteen (15) days prior to the hearing on the following: <ul style="list-style-type: none"> • Father of Michael (Unknown) • Sara White (Mother) • Paternal grandparents of Michael (Unknown) • Paternal grandparents of Lanae (Not Listed) • Melvin White (Maternal Grandfather) | |
| Lanae age:6 | | | |
| Cont. from 072313, 091013 | | | |
| 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: LV | | | |
| Reviewed on: 10/04/2013 | | | |
| Updates: | | | |
| Recommendation: | | | |
| File 12 – White & Rodriguez | | | |

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

| | | |
|---|--|--|
| Age: 3 years | <u>NO TEMPORARY IN PLACE</u> | NEEDS/PROBLEMS/COMMENTS: |
| | BARBARA PETERSON , maternal great grandmother, is petitioner. | <u>CONTINUED FROM 09/25/13</u> |
| | Father: NOT LISTED | 1. Need Notice of Hearing |
| Cont. from 092513 | Mother: BREA ORR | 2. Need proof of service of the Notice of Hearing along with a copy of the Petition <u>or</u> Consent and Waiver of Notice <u>or</u> Declaration of Due Diligence for: |
| <input type="checkbox"/> Aff.Sub.Wit. | Paternal grandparents: Not Listed | a. Father – Personal service required |
| <input checked="" type="checkbox"/> Verified | Maternal grandfather: Not Listed | b. Brea Orr (mother) – Personal service required |
| <input type="checkbox"/> Inventory | Maternal grandmother: Tanzola Elder | c. Paternal grandparents – Service by mail sufficient |
| <input type="checkbox"/> PTC | | d. Maternal grandfather – Service by mail sufficient |
| <input type="checkbox"/> Not.Cred. | | e. Tanzola Elder (maternal grandmother) – Service by mail sufficient |
| <input type="checkbox"/> Notice of Hrg | <input checked="" type="checkbox"/> | |
| <input type="checkbox"/> Aff.Mail | <input checked="" type="checkbox"/> | |
| <input type="checkbox"/> Aff.Pub. | | |
| <input type="checkbox"/> Sp.Ntc. | | |
| <input type="checkbox"/> Pers.Serv. | <input checked="" type="checkbox"/> | |
| <input checked="" type="checkbox"/> Conf. Screen | Court Investigator JoAnn Morris filed a report on 10/09/13. | 3. Confidential Guardian Screening Form is incomplete at #1a – 1e. |
| <input checked="" type="checkbox"/> Letters | | |
| <input checked="" type="checkbox"/> Duties/Supp | | |
| <input type="checkbox"/> Objections | | |
| <input type="checkbox"/> Video Receipt | | |
| <input checked="" type="checkbox"/> CI Report | | |
| <input type="checkbox"/> 9202 | | |
| <input checked="" type="checkbox"/> Order | | |
| <input type="checkbox"/> Aff. Posting | | |
| <input type="checkbox"/> Status Rpt | | |
| <input checked="" type="checkbox"/> UCCJEA | | |
| <input type="checkbox"/> Citation | | |
| <input type="checkbox"/> FTB Notice | | |
| | | Reviewed by: JF |
| | | Reviewed on: 10/10/13 |
| | | Updates: |
| | | Recommendation: |
| | | File 13 – Orr |