



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.

Atty Kruthers, Heather H., of County Counsel's Office (for Petitioner Public Guardian)

(1) Second and Final Account and Report of Conservator; (2) Petition for Allowance of Compensation to Conservator and Attorney [Prob. C. 1860; 2620; 2623; 2630; 2942]

DOD: 6/18/2012		PUBLIC GUARDIAN , Conservator, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS: Note: Order Settling First Account Current, etc. filed 7/27/2005 dispensed with further accountings as long as the Conservatorship continued to meet the conditions of Probate Code § 2628, hence the 7-year account period.
		Account period: 4/30/2005 – 6/18/2012	
		Accounting - \$6,605.38	
		Beginning POH - \$1,683.45	
Cont. from		Ending POH - \$6,605.38	
<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		
		Subsequent Account period: 6/19/2012 – 6/24/2012 Accounting - \$ 908.25 Beginning POH - \$ 581.58 Ending POH - \$ 893.25 (all cash)	
		Conservator - \$3,589.40 (28.61 Deputy hours @ \$96/hr and 11.09 Staff hours @ \$76/hr)	
		Attorney - \$1,250.00 (less than allowed per Local Rule of \$8,750.00 for \$1,250/year x 7 years)	
		Bond fee - none requested (SSI recipient)	
		Petitioner states: After only partial payment of court-ordered fees and commissions, there will be no assets remaining to distribute to the Decedent's heir, RUDY SOTO , husband; liens for fees and commissions for the one previous account exist in the sums of \$300.00 for the Public Guardian and \$1,100.00 for County Counsel.	
		Petitioner requests: Due to the insufficiency of the estate, a lien be imposed against the estate for any unpaid balance of authorized fees and commissions.	
		Reviewed by: LEG	
		Reviewed on: 10/11/12	
		Updates:	
		Recommendation:	
		File 1 - Soto	

(1) Second and Final Account and Report of Conservator; (2) Petition for Allowance of Compensation to Conservator and Attorney [Prob. C. 1860; 2620; 2623' 2630; 2942]

DOD: 04/15/12	PUBLIC GUARDIAN , Conservator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account period: 12/03/11 – 04/15/12	
	Accounting - \$8,219.67	
	Beginning POH - \$2,828.31	
	Ending POH - \$2,388.07	
Cont. from	Subsequent Account period: 04/16/12 – 07/03/12	
<input type="checkbox"/> Aff.Sub.Wit.	Accounting - \$5,264.92	
<input checked="" type="checkbox"/> Verified	Beginning POH - \$2,388.07	
<input type="checkbox"/> Inventory	Ending POH - \$2,947.92	
<input type="checkbox"/> PTC	Conservator - \$1,375.60 (8.50 staff hours @ \$76/hr. and 7.60 Deputy hours @ \$96/hr.)	
<input type="checkbox"/> Not.Cred.	Attorney - \$729.19 (Per Local Rule)	
<input checked="" type="checkbox"/> Notice of Hrg	Bond Fee - \$25.00 (ok)	
<input checked="" type="checkbox"/> Aff.Mail w/	Petitioner requests that due to the insufficiency of the estate, a lien be imposed against the estate for any unpaid balance of the authorized fees and commissions. Liens for fees and commissions for the first account exist as follows: \$2,500.00 for the Public Guardian and \$1,700.00 for County Counsel.	
<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 checked="" type="checkbox"/> CI Report		
<input type="checkbox"/> 2620(c) n/a		
<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		
	Petitioner prays for an Order:	
	1. Approving, allowing and settling the second and final Account;	
	2. Authorizing the Conservator and Attorney Fees and commissions;	
	3. Authorizing payment of the bond fee; and	
	4. Authorizing petitioner to impose a lien on the estate for any unpaid balances of authorized fees and commissions.	
	Reviewed by: JF	
	Reviewed on: 10/11/12	
	Updates:	
	Recommendation:	
	File 3 - Hofeditz	

DOD: 02/28/12		CAROL LEWIS, Conservator, is Petitioner.		NEEDS/PROBLEMS/COMMENTS:	
		Account period: 04/27/11 – 02/28/12		CONTINUED TO 11/20/12	
		Accounting - \$75,126.41		Per request of counsel	
		Beginning POH - \$70,000.00		CONTINUED FROM 08/29/12	
		Ending POH - \$45,992.01		Minute Order from 08/29/12 states: Counsel requests a continuance to cure the defects. The Court directs counsel to address item #2 in the examiner notes thoroughly. Matter continued to 10/17/12.	
Cont. from 082912		Account period: 02/29/12 – 04/30/12		As of 10/11/12, the following notes have not been addressed and remain:	
Aff.Sub.Wit.		Accounting - \$45,992.01		1. Schedule C of the Accounting states that \$13,950.14 in attorney's fees and \$460.50 in costs have been paid to Quinlan, Kershaw & Fanucchi. It appears that this payment of fees was made without court order in violation of Probate Code § 2647, which states that no attorney's fees may be paid from the estate of the conservatee without prior court order. Need reference to court order authorizing fees that have been paid.	
✓ Verified		Beginning POH - \$45,992.01		2. No itemization of the fees and costs is provided, therefore, the Court is unable to determine whether the fees and costs are just and reasonable and allowable pursuant to Local Rule 7.16, California Rules of Court § 7.751. Need itemization of fees and costs paid to Quinlan, Kershaw & Fanucchi.	
Inventory		Ending POH - \$28,356.99		3. The Petition states that Mark Eaton and Victoria Milo, children of the predeceased spouse of the conservatee have executed a Disclaimer of Interest in favor of Carol Lopez and that said Disclaimers will be on file prior to the hearing on this accounting. As of 10/11/12, no Disclaimers have been filed.	
PTC		Conservator - waived		4. Need original billing statements from residential care facility The Harvest pursuant to Probate Code § 2620(c)(5).	
Not.Cred.		Attorney - \$13,950.14			
✓ Notice of Hrg		<i>(already paid to Quinlan, Kershaw & Fanucchi per Schedule C of Accounting.</i>			
✓ Aff.Mail	w/	<i>\$8,416.14 for "conservatorship fees for estate work" and \$5,534.00 for "fees and costs, services to conservatorship". No itemization of fees and costs is provided.)</i>			
Aff.Pub.		Costs - \$460.50			
Sp.Ntc.		<i>(already reimbursed to Quinlan, Kershaw & Fanucchi per Schedule C of Accounting.</i>			
Pers.Serv.		Costs are not itemized.)			
Conf. Screen		Petitioner prays for an Order:			
Letters		1. Approving, allowing and settling the first and final account;			
Duties/Supp		2. Terminating the conservatorship and discharging the conservator upon the filing of an Ex Parte Petition for Final Discharge and Order; and			
Objections		3. Distributing the remaining assets of the conservatorship to the Estate of James R. Eaton, and that the Estate of James R. Eaton immediately pay said funds to Carol Lopez, as the sole surviving heir of the conservatee, pursuant to the Disclaimer of Interest executed by Mark Eaton and Victoria Milo.			
Video Receipt					
CI Report					
2620(c)	x				
✓ Order					
Aff. Posting				Reviewed by: JF	
Status Rpt				Reviewed on: 10/11/12	
UCCJEA				Updates:	
Citation				Recommendation:	
FTB Notice				File 4 - Eaton	