



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 Renge, Lawson K. (for Executor Betty A. Pate)
 Probate Status Hearing Re: Accounting

DOD: 4-4-13	<p>BETTY A. PATE, Daughter, was appointed as Executor with Full IAEA without bond on 7-24-13 and Letters issued on 8-2-13.</p> <p>At the hearing on 7-24-13, the Court set this status hearing for the filing of the first account or petition for final distribution.</p> <p>Inventory and Appraisal filed 4-24-14 indicates a total estate value of \$644,428.38 consisting of real property, an Installment Note secured by deed of trust with assignment of rents, and a vehicle.</p> <p>The first account or petition for final distribution is now due. Probate Code § 12200.</p> <p>Status Report filed 9-16-14 (not verified) states the only real property of the estate has been sold and the only impediment to closing the estate is settlement with the California Franchise Tax Board. The Executrix has taken the position that no taxes are due to the State from the sale and is discussing said issue with the Board. Upon resolution, the estate should be in a position to close.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 9-19-14. As of 11-13-14, nothing further has been filed.</p> <p>1. Need first account or petition for final distribution or verified written status report pursuant to local rule.</p>
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Citation		
FTB Notice		
Reviewed by: skc		
Reviewed on: 11-13-14		
Updates:		
Recommendation:		
File 7 - Guidi		

(1) First and Final Report of Special Co-Administrators and Co-Administrators on Waiver of Account and (2) Petition for Allowance of Compensation to Co-Administrators and Attorney for Ordinary Services, (3) for Allowance of Compensation to Attorney for Extraordinary Services, and (4) for Final Distribution

DOD: 12-21-12		<p>ROBERT SHAW, GAYDEN L. SCHORLING, and DOUGLAS D. SCHORLING, First Cousins of the Decedent and Co-Administrators with Limited IAEA without bond, are Petitioners.</p> <p>Accounting is waived (?)</p> <p>I&A: \$655,522.13 POH: \$515,024.24 plus a 1995 Pontiac Monte Carlo</p> <p>Co-Administrators (Statutory): \$16,110.44 (to be divided equally between two of the Co-Administrators Robert Shaw and Gayden L. Schorling)</p> <p>Attorney (Statutory): \$16,110.44 (Note: Co-Administrator Douglas D. Schorling is the attorney for the three Co-Administrators.)</p> <p>Attorney (Extraordinary): \$13,970.00 (Declaration filed 11-12-14 indicates 91.9 hours at \$150/hour for legal services including Petition to Determine Entitlement and Petition for Payment of Family Allowance, Unlawful Detainer, and Small Claims, and Court confirmed sale of real property totaling \$13,970.00)</p> <p>Closing: \$10,000.00 (for anticipated expenses including estate income taxes and Decedent's personal income taxes)</p> <p>Distribution pursuant to intestate succession:</p> <p>Bobbi A. Schorling, Cheryl Reuben, Gayden L. Schorling, Robert Shaw, and Douglas D. Schorling: An undivided 20% interest in the estate, or \$103,004.84 less compensation and closing expenses.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 11-12-14. The following issues remain noted:</p> <p><u>SEE ADDITIONAL PAGES</u></p>	
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Reviewed by: skc
Reviewed on: 11-13-14
Updates:
Recommendation:
File 25 – Marden

Page 2

NEEDS/PROBLEMS/COMMENTS (Continued):

1. **Petitioners request that the Co-Administrators' statutory compensation be split between two of the Co-Administrators, Robert Shaw and Gayden D. Schorling, and that Attorney Douglas D. Schorling, who is the third Co-Administrator, but is also the attorney for the Co-Administrators, receive the entire amount of statutory compensation as attorney. The Court may require clarification or authority for this request with reference to Cal. Rules of Court 7.706(a), which states:**

(a) Personal representative's compensation only

Notwithstanding the provisions of the decedent's will, a personal representative who is an attorney may receive the personal representative's compensation but may not receive compensation for legal services as the attorney for the personal representative unless the court approves the right to compensation for legal services in advance and finds the arrangement is to the advantage, benefit, and best interest of the decedent's estate.

Note: It does not appear that Mr. Schorling has requested approval in advance for compensation as an attorney pursuant to the above Rule of Court. As such, it appears that his statutory compensation may be limited to a one-third share of the Co-Administrators' statutory compensation, instead of the two other Co-Administrators splitting it half each.

2. **Petitioners request a closing reserve of \$10,000.00 due to anticipated potential additional taxes and expenses, and request to distribute the balance of the reserve without further Court order.**

However, consistent with the Court's recent practice, if Court determines an informal accounting of the closing reserve is warranted, Court will set a Status Hearing as follows:

Wednesday, May 13, 2015 at 9:00 am in Dept. 303 for an Informal Accounting of the \$10,000.00 Closing Reserve.

Pursuant to Local Rule 7.5, if the document noted above is filed 10 days prior to the date listed, the hearing will be taken off calendar and no appearance will be required. The filing of the Informal Accounting of Closing Reserve will not generate a new hearing date.

3. **The estate contains a 1995 Pontiac Monte Carlo that is considered to have no value as discussed at #17(i). If personal property is to be distributed in undivided interests, need written consent of all distributees pursuant to Local Rule 7.12.3. Alternatively, if the vehicle is to be distributed to one of the heirs, the Court may require consent of that heir.**

Dept. 303, 9:00 a.m. Wednesday, November 19, 2014

Status Hearing Re: Filing of the Bond and Receipt for the Blocked Account

DOD: 3-25-14	LANAE AREYANO, Daughter, was appointed Administrator with Limited IAEA with bond of \$13,500.00 and deposits of \$1,663.00 to be placed into a blocked account on 10-7-14.	NEEDS/PROBLEMS/COMMENTS:
		<u>Continued from 11-12-14.</u>
Cont. from 111214		<u>Minute Order 11-12-14: Bond was issued and filed. If receipts for the Blocked Account are filed by 11/17/14, then no appearance is necessary on 11/19/14.</u>
Aff.Sub.Wit.	At the hearing on 10-7-14, the Court signed the Order for Probate and the Order to Deposit Money Into Blocked Account and set this status hearing for the filing of the bond and receipt for blocked account.	<u>As of 11-13-14, nothing further has been filed.</u>
Verified		
Inventory	Bond was filed on 10-30-14 and Letters issued on 11-4-14.	1. Need Receipt and Acknowledgment of Order to Deposit Money Into Blocked Account.
PTC		
Not.Cred.	Inventory and Appraisal filed 11-4-14 includes real property valued at \$145,000.00, a vehicle valued at \$9,500.00, and misc. furniture and personal effects valued at \$5,000.00, for a total of \$159,000.00.	<u>Note: The Order to Deposit Money Into Blocked Account appears to be based on the Declaration filed 10-6-14 that stated the decedent's checking and savings account balances totaled \$1,663.00. However, the Final I&A filed 11-4-14 does not include this amount.</u>
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		Reviewed by: skc
		Reviewed on: 11-13-14
		Updates:
		Recommendation:
		File 27 – Areyano