

Invitation (updated)

In October 2017, the Court hosted the first in a series of occasional roundtable discussions about probate filings and hearings. The Court's goals for the roundtable discussions include sharing its observations about common errors in pleadings and seeking input from counsel as to how to expedite matters from counsel's point of view. Topics for the next roundtable discussion are sought. While counsel are requested to include sufficient detail for the Court to be prepared to address the topic in a meaningful way, counsel are cautioned to avoid ex parte communications regarding ongoing cases. (See Cal. Rules of Court, rule 7.10.) The Court also seeks input on the preferred date for the next lunchtime roundtable discussion: August 6, August 27, September 10, or September 17. Both topic ideas and date preferences may be e-mailed to Legal Research Attorney Karie Lew at klew@tuolumne.courts.ca.gov.

PR10045 Conservatorship of Merle R. Tibbetts

Hearing type: Review re final accounting
Conservator: Tuolumne County Public Guardian
Conservator's counsel: County Counsel

As of July 8, 2018, the accounting had not been filed. Appearance required if it is not filed prior to the hearing.

PR10881 Guardianship of Anaya Siegfried

Hearing type: Request to modify order re visitation
Guardian: Eric Hammond
Guardian's counsel: None
Mother: Crystal Marshall
Mother's counsel: None

The Court has reviewed the request filed by Mother on June 14, 2018, and notes that, as of July 8, 2018, no proof of service of the request and notice of hearing had been filed. The Court also has reviewed the request for continuance filed by Mother on July 5, 2018. The matter will be continued to August 3, 2018, at 8:30 a.m. Mother shall file proof of timely service of the June 14, 2018, request and notice of the continued hearing date no later than July 24, 2018. Appearance not required on July 13, 2018.

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PROBATE NOTES: Friday, July 13, 2018

These notes are not updated based on subsequent filings once they are posted.

PR11361 **Estate of Kristin K. Kruetzfeldt**

Hearing type: Further hearing re petition for final distribution
Administrator: Douglas K. Gill
Administrator's counsel: None

The Court has reviewed the petition for final distribution filed on June 12, 2018. Appearance required to address the following issues:

1. Various issues related to creditor claims, including the Court's inability to locate the referenced claims or Judicial Council forms DE-174 (Allowance or Rejection of Creditor's Claim) in the court file and Administrator's payment of his own creditor claim. (Petition ¶ 6; local rule 5.15.0.)
2. Administrator's methodology in calculating and presenting gains and losses on sale of estate property.
3. The reason(s) for the loss on sale of the real property at 21767 Crystal Lake Drive in Sonora.
4. Clarification of Administrator's proposal for transferring the title for three off-highway motorcycles intended for the two wards in related case PR11356.
5. Explanation of how Administrator calculated the amount of cash on hand for distribution, particularly in light of the fact that the \$143,441.05 in creditor claims asserted to have been paid (petition ¶ 6) does not appear to be reflected in the spreadsheet of expenditures, which shows a total of \$64,240.25 in expenditures (attachment H).
6. Clarification of whether Administrator proposes to delay all distribution until resolution of the estate's 2018 tax liability, if any (petition ¶ 13), or to hold sufficient funds in reserve for that purpose, enabling distribution of rest of the estate assets (*id.* ¶ 23).
7. Administrator's apparent reimbursement to himself for costs of administration and estate expenses without first seeking court approval.
8. Payment of attorney fees on October 10, 2017.

PR11362 **Estate of Daniel A. Kruetzfeldt**

Hearing type: Further hearing re petition for final distribution
Administrator: Douglas K. Gill
Administrator's counsel: None

The Court has reviewed the petition for final distribution filed on June 12, 2018, which appears to be identical in most respects to the petition for final distribution filed on the same date in related case PR11361 (Estate of Kristin K. Kruetzfeldt), addressed above. Many—but not all—of the concerns listed above also apply to the instant petition and therefore are not repeated here. Appearance required.

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PR11399 **Guardianship of Angelina K. Reynolds, et al.**

Hearing type: Petition for termination of guardianship
Guardian/petitioner: Sandra A. Ackerman
Guardian's counsel: None

The Court has reviewed the petition filed on June 7, 2018. Appearance of Guardian required.

PR11408 **Estate of Charles L. Doty**

Hearing type: Amended petition for final distribution and compensation
Executor: Theodore Martin Doty
Executor's counsel: Cynthia R. Hadell

The Court has reviewed the amended petition filed on June 20, 2018, which resolves the issues described in the minute order dated June 1, 2018. The amended petition is recommended for approval. Appearance not required.

PR11424 **Estate of Stephen M. Clark**

Hearing type: Petition for final distribution, fees, and costs
Executor: Trisha Lewis
Executor's counsel: Carrie M. McKernan

The Court has reviewed the petition filed on June 13, 2018, which is recommended for approval. Appearance not required. Executor's counsel is reminded to comply with local rule 5.18.0, subdivision (b) in future petitions for distribution filed with the Court.

PR11558 **In the Matter of the 1986 Rodts Living Trust**

Hearing type: Petition to modify trust terms
Petitioner: Kenneth E. Rodts
Petitioner's counsel: Tamara M. Polley

The Court has reviewed the petition filed on May 23, 2018, which is recommended for approval. Appearance not required.

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PR11559 Estate of Rene Leon Cappadocia

Hearing type: Review re petition for appointment of general personal representative
Special administrator: Candida Cappadocia
Administrator's counsel: Gary P. Dambacher

As of July 8, 2018, a petition for appointment of a general personal representative had not been filed. Appearance required if it is not filed prior to the hearing.

PR9998 Conservatorship of Danny G. Rhorer

Hearing type: Further hearing re sixth and final account and report of conservator;
 petition for fees and discharge
Conservator: Tuolumne County Public Guardian
Conservator's counsel: County Counsel

The Court has reviewed the proof of service of notice of hearing filed on June 8, 2018, which resolves the service issues described in the probate notes for the May 4, 2018, and May 25, 2018, hearings. The pleading filed on April 18, 2018, is now recommended for approval. Appearance not required.

PR10694 Conservatorship of Nicole Kolpack

Hearing type: Review re court investigator's report (Prob. Code, § 1850)
Conservators: Bonnie and Glenn Kolpack
Conservators' counsel: None

The Court has reviewed the report filed on June 28, 2018. Appearance not required. A review hearing re the court investigator's next report will be set for July 10, 2020, at 8:30 a.m.

PR10716 Guardianship of Trinity S. Christian

Hearing type: Review re Confidential Guardianship Status Report
Guardians: Mark and Susana Christian
Guardians' counsel: None

The Court has reviewed the report filed on May 25, 2018. Appearance required to address Guardians' response to item 1d. (Attachment 1d was not attached.)

As to the change of the ward's personal residence in October 2017, which is described in the report, the Court notes that Guardians failed to comply with various authorities governing changes of residence. (See Prob. Code, § 2352; Cal. Rules of Court, rule 7.1013; local rule 6.05.0.) Guardians shall file Judicial Council form GC-080 (Post-Move Notice of Change of

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Residence of Ward) no later than August 10, 2018. A review hearing to confirm filing of the notice will be set for August 24, 2018, at 8:30 a.m. (Guardians are excused from serving the ward's parents with copies of the notice based on their declaration in the instant report that addresses for both parents are unknown.)

PR10830 **Guardianship of Octavian J. Hernandez, et al.**

Hearing type: Review re Confidential Guardianship Status Reports
Guardian: Brenda Vizcarra
Guardian's counsel: None

The Court has reviewed the reports filed on June 15, 2018, and notes the following information is missing:

1. Personal information about each ward (item 2)
2. Street address for the wards' mother (item 6a(1))
3. Address of the wards' overnight visits with their mother (item 6b(3))
4. Address of Joziah's overnight visits with his father (item 6c(3))
5. Attachment 6c to Joziah's report

Appearance required if the missing information is not filed prior to the hearing. Guardian may use Judicial Council form MC-030 (Declaration) to file the missing information.

Moreover, after reviewing the Post-Move Notice of Change of Residence filed on April 25, 2018, the Court observed that Guardian not only did not file the Pre-Move Notice of Proposed Change of Personal Residence of Ward (Judicial Council form GC-079) (see Prob. Code, § 2352, subd. (e)(3); Cal. Rules of Court, rule 7.1013, subds. (a), (e)(1); local rule 6.05.0) but also did not file proof of mailing of the Post-Move Notice, which is the second page of Judicial Council form GC-080. Appearance required if proper proof of mailing of form GC-080 is not filed prior to the hearing.

PR10926 **Guardianship of Ivory Rose Ashlock**

Hearing type: Review re Confidential Guardianship Status Report
Guardian: Linda Ladawn Ashlock
Guardian's counsel: None

The Court has reviewed the report filed on June 22, 2018. Appearance not required. A review hearing re the next annual Confidential Guardianship Status Report will be set for July 12, 2019, at 8:30 a.m.

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PR10997 **Guardianship of Sienna Nulph, et al.**

Hearing type: Review re termination of guardianship of Sienna Nulph by operation
of law
Guardians: Dale and Joyce Nulph
Guardians' counsel: None

The guardianship of Sienna Nulph terminated by operation of law on her eighteenth birthday.
Appearance not required.

PR11073 **Guardianship of Benjamin James Meek, et al.**

Hearing type: Review re Confidential Guardianship Status Reports
Guardian: Elizabeth Mansfield
Guardian's counsel: None

The Court has reviewed the reports filed on June 29, 2018, and notes the address of the wards' overnight visits with their mother is missing. (See item 6b(3).) Appearance required if the missing information is not filed prior to the hearing. Guardian may use Judicial Council form MC-030 (Declaration) to file the missing information.

PR11074 **Guardianship of Anastasia R. Carvalho**

Hearing type: Review re Confidential Guardianship Status Report
Guardian: Elizabeth Binion
Guardian's counsel: None

As of July 8, 2018, the report had not been filed. Appearance required if it is not filed prior to the hearing.

PR11440 **Guardianship of Nathaniel Cassettari**

Hearing type: Review re Confidential Guardianship Status Report
Guardians: Ashley and Dillon Stott
Guardians' counsel: None

The Court has reviewed the report filed on May 25, 2018. Appearance not required. A review hearing re the next annual Confidential Guardianship Status Report will be set for July 12, 2019, at 8:30 a.m.

As to the change of the ward's personal residence approximately eight months ago, which is described in the report, the Court notes that Guardians failed to comply with various authorities governing changes of residence. (See Prob. Code, § 2352; Cal. Rules of Court, rule 7.1013; local

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rule 6.05.0.) Guardians shall file and serve Judicial Council form GC-080 (Post-Move Notice of Change of Residence of Ward) no later than August 10, 2018. A review hearing to confirm filing of the notice and proof of service will be set for August 24, 2018, at 8:30 a.m.

PR11445

Guardianship of Ricardo Anthony Lee Castillo Jr.

Hearing type:	Review re Confidential Guardianship Status Report
Guardian:	Lisa Renee Romine
Guardian's counsel:	None

As of July 8, 2018, the report had not been filed. Appearance required if it is not filed prior to the hearing.