

## Probate Notes for April 11, 2017

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. Unless an appearance at the hearing is otherwise required by law, if petitioner submits a proposed order prior to the hearing and the recommendation is to grant the petition, no appearance is necessary. If you are scheduled to appear and there is no probate note issued in your case, you should appear as scheduled. If you wish to continue a matter, you must contact the civil division at (530) 406-6704, at least two (2) court days before your hearing.

**Please Note:** The following probate matters will be heard in **Department Seven at 9:00 a.m.**

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**CASE:            Conservatorship of Yeargain**  
**Case No. CV PC 13-218**

On the Court's own motion, the matter is **CONTINUED** to Thursday, May 11, 2017, at 9:00 a.m. in Department 7 for completion of the court investigator's report.

Should the continued hearing date be inconvenient for any party, the party shall meet and confer with all parties and contact the Court at (530) 406-6838 to arrange an alternative date agreed upon by all parties. The alternative hearing date shall be set no earlier than Thursday, May 11, 2017. If the parties cannot agree, then the Court's selected hearing date is confirmed.

**CASE:            Conservatorship of Gaboury**  
**Case No. CV PC 09-181**

The parties are **DIRECTED TO APPEAR** on the petition for termination of the conservatorship. (Prob. Code, § 1863.)

**CASE:            Estate of Blumenstein**  
**Case No. CV PB 16-221**

The Court notes the following deficiencies:

1. A complete photographic copy of the will must be attached to the petition. (Prob. Code, § 8002, sub. (b)(1).)
2. Paragraph eight of the petition does not list Marshall or Reina Klein as persons mentioned in decedent's will as required. (Petition, ¶ 8.)
3. Petitioner failed to file a proof that *the Notice of Petition to Administer Estate* (Judicial Council of California Form DE-121) was served on Marshall or Reina Klein, a named alternative beneficiary in decedent's will. (Prob. Code, § 8110, subd. (b); *Estate of Baird* (1987) 196 Cal.App.3d 957, 961-962.)
4. The *Duties and Liabilities of Personal Representative* form must be filed with the Court (Judicial Council of California Form DE-147).
5. Proof of publication must be filed prior to the hearing. (Prob. Code, § 8120 et seq.)
6. The will is not self-proving. (Prob. Code, § 8220, subd. (b); Code Civ. Proc., § 2015.5.)

**CASE: Estate of Youngmark  
Case No. CV PB 17-49**

It is recommended to grant the petition for probate of will and letters testamentary and for authorization to administer the estate under the Independent Administration of Estates Act. (Prob. Code, § 8200.)