

DEPARTMENT TWENTY-TWO
JUDGE ALESIA JONES
707-207-7322

PROBATE NOTES FOR
MATTERS SCHEDULED FOR

TUESDAY, APRIL 26, 2016

Prepared on April 14, 2016

NOTICE: This calendar will be heard by the Honorable David Edwin Power

Probate notes are not posted for conservatorship matters, ex parte petitions, or status conferences.

Probate notes supplement—but do not replace—the posting of intended rulings on probate matters. Please check the court’s website for intended rulings on probate matters (“pregrants”) after 2:00 p.m. the court day before the scheduled hearing.

If the notes identify defects, you can file documents with the court to correct them. Defects that are not corrected may result in your petition being denied or the hearing delayed.

Because of processing times and staff shortages, documents filed one or two court days prior to the hearing might not be reviewed in time to alter the court’s intended pregrant ruling.

Questions?

You can now e-mail the court’s probate staff at probate@solano.courts.ca.gov.

Remember:

- (1) Probate staff cannot give legal advice or discuss your case with you.
- (2) Parties or attorneys may not submit via e-mail any documents intended to address the probate notes. Attachments e-mailed directly to probate staff will not be opened.

PROBATE NOTES

Case Name: In re the Elizabeth Slattum Special Needs Trust
Case Number: FPR045536

Calendar Date: April 26, 2016
Prior Calendar History:

Petition(s) or Motion(s): Petition for Approval of Second Account of Trustee for the Period of October 1, 2013 to December 31, 2015; Approval of Trustee's Fees; Approval of Trust Advisory Fees; Approval of Attorney's Fees

Filed On: February 24, 2016
Filed By: Westamerica Bank

Objections: None
Filed On:
Filed By:

Reviewed By: C. Donovan, Staff Attorney
Date of Review: April 14, 2016

SUMMARY/COMMENTS

Unopposed petition to approve second accounting.

The following defects or issues are noted:

None.

RECOMMENDATION

Recommend for approval. Counsel to submit proposed order.

PROBATE NOTES

Case Name: In re the James Banks Special Needs Trust

Case Number: FPR046435

Calendar Date: April 26, 2016

Prior Calendar History:

Petition(s) or Motion(s): Petition for Approval of Third and Final Account of Trustee for the Period of July 1, 2015 to January 15, 2016; Approval of Trustee's Fees; Approval of Trust Advisory Fees; Approval of Attorney's Fees

Filed On: February 23, 2016

Filed By: Westamerica Bank

Objections: None

Filed On:

Filed By:

Reviewed By: C. Donovan, Staff Attorney

Date of Review: April 14, 2016

SUMMARY/COMMENTS

Unopposed petition to approve third and final accounting.

The following defects or issues are noted:

- (1) Accounting, Schedule C, p.1: IBAR Settlement Company was paid a monthly advisory fee on January 4, 2016 in the amount of \$293.24. As the trust was ordered terminated on December 24, 2015 and a written order to that effect was filed on December 29, 2015, it is unclear how such a payment is proper.
- (2) Accounting, Schedule C, p.3: The accounting reflects \$2,750.85 in repairs to a vehicle. The trust does not own a vehicle. It is unclear whether this payment is for the beneficiary's vehicle.
- (3) Accounting, Schedule C, p.4: The accounting reflects \$1,125 in repairs to a vehicle. The trust does not own a vehicle. It is unclear whether this payment is for the beneficiary's vehicle.
- (4) Accounting, Schedule C, p.4: The accounting reflects \$1,241.88 for auto insurance. The trust does not own a vehicle. It is unclear whether this payment is for the beneficiary's vehicle.
- (5) Petition seeks reimbursement of \$460 in court filing fees. Actual fees incurred are \$200 for filing fees and \$30 in court reporter fees.

RECOMMENDATION

Petitioner to address issue(s) above. Recommend allowing \$200 in filing fees and \$30 in court reporter fees.

PROBATE NOTES

Case Name: In re the Barbara J. Trimble Trust Established September 5, 2001

Case Number: FPR047647

Calendar Date: April 26, 2016

Prior Calendar History:

Petition(s) or Motion(s): Petition for Order Directing Conveyance of Property to Trust

Filed On: March 22, 2016

Filed By: Robert H. Trimble

Objections: None

Filed On:

Filed By:

Reviewed By: C. Donovan, Staff Attorney

Date of Review: April 14, 2016

SUMMARY/COMMENTS

Uncontested petition to confirm real property as trust asset.

The following defects or issues are noted:

None.

RECOMMENDATION

Judicial discretion whether to grant petition.

PROBATE NOTES

Case Name: In re the Dean Bowers 2016 Trust dated February 4, 2016
Case Number: FPR047652

Calendar Date: April 26, 2016
Prior Calendar History:

Petition(s) or Motion(s): Petition for Order Under Probate Code Section 850 to Determine Title to Property

Filed On: March 25, 2016
Filed By: Michael G. Bowers

Objections:
Filed On:
Filed By:

Reviewed By: C. Donovan, Staff Attorney
Date of Review: April 14, 2016

SUMMARY/COMMENTS

Uncontested petition to confirm real property as trust asset.

The following defects or issues are noted:

- (1) While the petition's prayer for relief seeks an order that "all other assets owned by the Decedent, but not yet discovered, are owned by and now vested in Michael G. Bowers as Trustee" of the trust, the petition provides no evidence or facts indicating that such an order is appropriate. The only facts presented concern the real property at 139 Luzena Avenue, Vacaville. How may the court grant this relief?

RECOMMENDATION

Judicial discretion whether to grant petition.