

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

PROBATE NOTES FOR  
MATTERS SCHEDULED FOR

**WEDNESDAY, APRIL 27, 2016**

Prepared on April 15, 2016  
Updated on April 19, 2016

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](mailto: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 Estate of Claudia Hill, Deceased  
**Case Number:** FPR047023

**Calendar Date:** April 27, 2016  
**Prior Calendar History:** March 28, 2016

**Petition(s) or Motion(s):** First and Final Account and Report of Administrator and Petition for Its Settlement, for Allowance of Compensation and for Final Distribution  
**Filed On:** March 1, 2016  
**Filed By:** Solano County Public Administrator

**Objections:** None  
**Filed On:**  
**Filed By:**

**Reviewed By:** C. Donovan, Staff Attorney  
**Date of Review:** April 15, 2016

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## SUMMARY/COMMENTS

Uncontested petition to approve removed administrator's first and final accounting.

### **The following defects or issues are noted:**

- (1) Notice was not given to the Department of Health Care Services, although they filed a request for special notice on September 30, 2015 which has not been withdrawn. // Proof of service filed April 11, 2016 for Supplemental (filed April 11, 2016). It is unclear whether the Department of Health Care Services received a copy of the original petition as well as the Supplemental.

## RECOMMENDATION

Petitioner to address issue(s) above.

# PROBATE NOTES

**Case Name:** In re the Scholten Family Trust Dated December 20, 1994  
**Case Number:** FPR047145

Calendar Date: April 27, 2016  
Prior Calendar History: April 13, 2016; January 13, 2016; November 16, 2015; October 14, 2015; July 1, 2015

**Petition(s) or Motion(s):** Petition to Surcharge Court Removed Trustee; Request for Remedies Upon Removal of Trustee

Filed On: March 11, 2016  
Filed By: Vincent Scholten

Objections: None

Reviewed By: C. Donovan, Staff Attorney  
Date of Review: April 19, 2016

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## **SUMMARY/COMMENTS**

Surcharge of \$172,777.37 plus interest ordered on April 13, 2016. Punitive damages and double damages unadjudicated and remain pending. Court permitted the filing of an amended petition re: Section 850 relief and 859 damages.

### **The following defects or issues are noted:**

1. No amended petition is on file.
2. The petition does not seek relief under Probate Code section 850. In light of that, it is unclear on what grounds the court may award double damages under Probate Code section 859.

## **RECOMMENDATION**

Counsel to appear.