

April 2008 Bench-Bar Committee Announcements

The purpose of the bench-bar committee is to serve as a liaison between the probate bar and the probate court. Our goal is to promote the effective and efficient administration of matters pending before the probate court by encouraging communication between the bench and bar as to how that goal can be achieved. To effectuate our purpose, we have designated two liaisons, Jerilyn Jones and Diane Ritchey-Andrews, to serve as channels of communication from practicing attorneys to the court. Between monthly meetings, our liaisons will gather suggestions, comments, and compliments for purposes of communicating them to the court at the monthly bench-bar meetings. The court, in turn, will gather monthly suggestions for presentation to the bar regarding steps attorneys can take to improve the efficient handling of matters before the court.

The probate examiners, the court, and the bench-bar committee have prepared several tips for the month for April aimed at improving the efficient handling of matters pending before the probate court:

- the court will be getting a new main telephone number on May 5. That number is (619) 450-7676.
- the court will also be getting a new telecourt number on May 5 as well. That number is (619) 450-7540.
- THANK YOU to those of you who faxed examiners' notes when the computer system was down. The computer system was restored as of about 11:00 a.m. today. During the time the court was without computer access, the court was able to get completely caught up on orders and filing. The cause of the problem was a virus---Zilcat1 for those of you who are interested. Examiners were able to get calendars completed when the computers were down by using handwritten notes and attorney faxes. There is a backlog, however, with respect to entering matters into the computer system, and the handwritten notes will need to be entered into the computer as well.
- open communication is key to helping improve the interaction of the probate bar with the court system. If you prefer, you may provide comments to the bench-bar liaisons anonymously.
- in guardianships, if the status report required under Probate Code §1513.2 is not received within 30 days of the date it is due, the court may issue an order to show cause as to why the guardian should not be removed. If a satisfactory report is filed, however, then the review hearing goes off calendar and there is no need for a court appearance. TIP: be sure to file the annual report under Probate Code §1513.2 early to avoid the need to appear at review hearings.

- if an Inventory & Appraisal is not filed by the statutory deadline, the computer system prints out a notice of failure to comply with duties. TIP: file your I&A prior to the deadline to avoid this embarrassing notice. If need be, file a partial I & A to show the court that efforts are underway to marshal the assets, even if the partial I & A shows a zero total.
- per Probate Code §8850, where applicable, the I & A needs to identify whether each asset is community property, quasi-community property, or separate property.
- if your matter is preapproved or approved via telecourt, please indicate this in your order.
- lately, letters of conservatorship and letters of administration have been submitted to the court on multiple occasions without the case number, even though the accompanying order included the case number. Please double-check to make sure the case number is included on your letters.
- if you call during examiners' hours and you wish to speak to the examiner who prepared your examiners' notes, please ask for that person when you call in. Likewise, if you wish to speak to the examiner who prepared your notes in person, please ask for that examiner when you come in.