



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 10/16/18

The notes on the following pages were updated approximately three court days prior to the hearing to reflect newly-filed documents. Documents filed now after that update typically will not be reviewed except on the date of hearing at the judge's discretion.

Destruction of Filed Documents:

Shredding/destruction of all court documents filed and imaged before January 2011 will begin soon. All filed/imaged documents are shredded one year after filing pursuant to court policy. Any filed original documents not retrieved timely will be permanently lost. (Wills and codicils lodged into the will vault will not be affected.)

Contacting the Probate Examiners:

Probate Examiners' email address: ProbateNotes@sb-court.org

Emails must have the case identification information and hearing time/date in the subject line. No attachments will be opened. Probate Examiners can only respond to inquiries regarding the meaning of comments in the notes. Please do not email to notify that documents have been filed, to request a confirmation whether documents have been received, or to request the clearing of notes. No legal or procedural advice may be given by examiners in response to your email.

nb0927/1011

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT **GUARDIANSHIP**

DATE: 10/16/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800200

CASE NAME: NATHAN BLESS FIGUEROA HERRERA

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JEFFREY SCOTT MESSNER (GP)...PRO/PER

LIDIA FIGUEROA MESSNER (GP)...PRO/PER

NATHAN BLESS FIGUEROA HERRERA (MIN)...

GENERAL INFORMATION:

Temporary Orders granted on 05/23/18.

Continued from 06/18/18. The Court grants the request to excuse notice as to father, Roberto Figueroa and unknown paternal grandparents. Petitioners submit and files duties of guardian form in court today. Referred to Court Investigator for investigation and report.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Lidia and Jeffrey Messner (sister and spouse), minor: Nathan 7

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Mother and maternal grandparents are all deceased.
2. **Need** Notice of Hearing and Proof of Service by mail as to sibling, Veronica Figueroa, or file Due Diligence Declarations.
3. Petitioner seeks broad medical/dental powers. Recommend order to reflect that requested medical/dental powers are subject to PC 2353(b)
4. Petitioner seeks power to apply for and receive any public benefits, social security & SSI benefits the minor child(ren) may be entitled to receive. Recommend order reflect that if accumulated principal exceeds \$15,000 on account, Petitioner to file for estate powers as PC 2628(a)(1) will require an accounting.
5. CI report filed.
6. ~Proposed form Order submitted: xx/xx/18

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

RECOMMENDATION:

Need to clear note 2 then Court's discretion.

(cs/nb)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/16/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800212

CASE NAME: ELIJAH VIRATA

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ELIJAH VIRATA (MIN)...
LA RONDA VIRATA-CROSS (PET)...PRO/PER

GENERAL INFORMATION:

LaRonda Virata-Cross appointed as temporary guardian of the person only for minor on 05/14/18, no bond.

Continued from 06/18/18. The court clears notice as to unknown paternal grandparents. Referred to Court Investigator for investigation and report. Case referred to Legal Aid for legal assistance.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by LaRonda Virata-Cross, (maternal grandmother) minor: Elijah (9)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. **Need** Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on LaMarda Virata (mother) and unknown father.
 - a. Father is reportedly unknown; **need** copy of birth certificate per Local Rule 20-1302.
2. Section 8 as to reasons why guardianship is necessary is blank; however, the reasons why it is in the best interest for the child is completed in section 4 of the attached GC-210(CA). [LF pg. 8} **JTD**
3. Section 10 as to persons that notice should be dispensed is marked; however, attachment 10 was not provided. Court may wish to inquire if petitioner is trying to dispense with notice. **JTD**
4. Petitioner indicates willingness to adopt the minor.
5. Court to see Guardian Screening form and Guardianship Questionnaire.
6. **CI Special Report filed.**
7. **DCFS Investigation Narrative filed.**
8. ~Proposed Form Order: 05/14/18

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RECOMMENDATION:

Need to clear note 1 then Court's discretion re: remaining notes.

(ww/nb)

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 10/16/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800410

CASE NAME: Mtr of Jesus Gavino Visser

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

JESUS GAVINO VISSER (MIN)...
JOYCE ROBERTS (GP)...PRO/PER
NATHAN ROBERTS (GP)...PRO/PER

GENERAL INFORMATION:

Temporary Letters issued 09/11/18.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Nathan Roberts (paternal cousin & wife) and Joyce Roberts, minor Jesus, now 16.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Minor signed consent, only.
2. **Need** Notice of Hearing and **proof of personal service** on minor Jesus, mother Christina Castaneda Martin and father William Jacobus Visser. Alternatively, as father is incarcerated, notice may be served in accord with Local Rule 20-1317.
3. Section 7 to Child Information Attachment [petition, LF, p11] is incomplete as to relationship to this child. **Need** verified supplement.
4. **Need** DCFS report as petitioners are a cousin greater than the first degree to the minor.
5. Upon referral to Court Investigator by the Court, requires Court Investigator Report.
6. Petitioner requests authority to apply for and receive such public benefits, Social Security and SSI benefits minors may be entitled to receive. JTD.
7. ~Proposed Form Order/Letters 09/11/18.

RECOMMENDATION:

Need to clear notes 2-4 then Court's discretion.

(nb)

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/16/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800412

CASE NAME: MTR OF PRINCETON ANGEL LEE ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CALIFORNIA PEARL LEE (MIN)...
PRINCETON ANGEL LEE (MIN)...
RUTH CHAVEZ (GP)...PRO/PER

X-REF: FAMVS 1800924; CSKS1708245; CSWS1800141

GENERAL INFORMATION:

Temporary letters issued 09/12/18.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandmother Ruth Chavez, minor Princeton (4) and California (3).

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Mother signed consent and waiver.
2. **Need** Notice of Hearing and **proof of personal service** on father, Princeton T. Lee.
3. **Need** Notice of Hearing and **proof of mailed service** on maternal grandfather Jose Luis Chavez and unknown paternal grandparents or file Due Diligence Declaration(s).
 - a. Petitioner requests an order dispensing with notice as to maternal grandfather and unknown paternal grandparents. **JTD**.
4. Number 13 to Guardian Screening Form re: an adverse interest is incomplete. **Need** verified supplement.
5. Sections 1c (2) to Child Information Attachments re: whether minors are or may be an Indian Child are incomplete. However, Section 8 re ICWA inquiry indicates the children have no known Indian ancestry.
6. Upon referral to Court Investigator by the Court, requires Court Investigator Report.
7. Petitioner requests authority to apply for and receive such public benefits, Social Security and SSI benefits minors may be entitled to receive. **JTD**.
8. ~Proposed Form Order/Letters 09/05/18.

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RECOMMENDATION:

Need to clear notes 2-4 then Court's discretion.

(nb)

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 10/16/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800413

CASE NAME: MTR OF KING IRVING

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CHARLES E SMITH JR	(GP)...PRO/PER
KING IRVING	(MIN)...
MICHELLE SMITH	(GP)...PRO/PER

GENERAL INFORMATION:

Temporary letters issued 09/14/18.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grand-aunt and spouse. Charles Smith Jr. and Michelle Smith [:"Petitioners"], minor King (8).

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Mother signed nomination, consent and waiver.
2. **Need** Notice of Hearing and **proof of personal service** on father, Renald Jones. Alternatively, as father is incarcerated, notice may be served in accord with Local Rule 20-1317.
3. **Need** Notice of Hearing and **proof of mailed service** on maternal grandfather James Irving and unknown paternal grandparents or file Due Diligence Declaration(s).
4. Sections 1c (2) to Child Information Attachments re: whether minor is or may be an Indian Child is incomplete. However, Section 8 re ICWA inquiry indicates the child has no known Indian ancestry.
5. Section 5 to Child Information Attachment [petition, LF, p. 8] re whether father agrees that petitioner be the child's guardian is incomplete. **Need** verified supplement.
6. Section 7 to Child Information Attachment [petition, LF, p. 8] re relationship to child is incomplete. **Need** verified supplement.
7. Section as to whether police have ever been to your home, on Guardianship Questionnaire by Charles, is incomplete. Also, except for signature on page 7, the section re birthparents is completely blank. **Need** complete questionnaire.

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8. UCCJEA indicates minor resided in Washington until 08/03/18. If minor has not lived in this state for six months, there may be a jurisdictional issue for this Court unless it must take emergency jurisdiction. **JTD.**
9. Petitioner appears to be in active service. Court may wish to inquire if California will remain petitioner's residence for military purposes. If so, court may wish to make specific orders to allow minor to live at different locations during active military duty. Alternatively, petitioner will need to seek guardianship in the other state and termination in this state. **JTD.**
10. Upon referral to Court Investigator by the Court, requires Court Investigator Report.
11. Petitioner requests authority to apply for and receive such public benefits, Social Security and SSI benefits minors may be entitled to receive. **JTD.**
12. ~Proposed Form Order/Letters 09/05/18.

RECOMMENDATION:

Need to clear notes 2-3 & 5-7 then Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/16/18 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1800420

CASE NAME: Jasmine Margaret Lemus et al

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

CHEYENNE ASHLEY LEMUS	(MIN)...
CHRISTINA ROBINSON	(GP)...PRO/PER
FRANCISCO BERNARDO LEMUS Jr	(MIN)...
JASMINE MARGARET LEMUS	(MIN)...
NATALY NOELLE LEMUS	(MIN)...

GENERAL INFORMATION:

Temporary Letters issued 09/17/18.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandmother, Christina Robinson ["Petitioner"], minors Jasmine (12), Nataly (12), Francisco (10) and Cheyenne (3).

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. **Need** Notice of Hearing and **proof of personal service** on minor, Jasmine and Nataly, mother Noelle Robinson and father Francisco Lemus.
2. **Need** Notice of Hearing and **proof of mailed service** on sibling Gabriella Robinson, maternal grandfather, Ronald Robinson and unknown paternal grandparents or file Due Diligence Declaration(s).
3. Petition indicates minor has Indian ancestry. Notification of Rights under Indian Child Welfare Act (ICWA) **must** be served.
 - a. ICWA-030 form is to be completed by the petitioner to the best of their ability and must be signed and dated. As petitioner is not represented by an attorney, service will be done by the clerk of the court **once the form is completed and submitted by petitioner**. The ICWA-030 and a copy of the petition with attachments must be served on the parents, Indian Custodian (if applicable) and the Tribe and/or Bureau of Indian Affairs. **Need** signed return receipt card.
 - b. Notice must be given as to all subsequent hearings unless or until such time as it is determined that the act does not apply to the case.

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- c. If no response is received from the tribe within a reasonable time (not less than 60 days) from the tribe the court may determine that the act does not apply.
 - d. If the tribe intervenes service of the ICWA-30 form is no longer required and subsequent notices will be in the standard form contained in the Probate Code for service of notice.
 - e. Notice in the manner described above must be served in addition to all notices required by the Probate Code.
 - f. **No proceeding shall be held until at least 10 days after receipt of notice by the parent, Indian custodian, the tribe or the Bureau of Indian Affairs per Pr.C.§1460.2(e).**
4. **Need** Parental Notification of Indian Status (form ICWA-020).
 5. If a Court Investigator and/or DCS is appointed, then the investigator must consult with the Indian child's tribe per Pr.C. §1513(h).
 6. Addresses to references on guardianship questionnaire [LF, 7] are incomplete. **Need** verified supplement.
 7. ICWA Section to Child Information Attachments [petition, LF, p. 9] indicate minors are Indian Children and has identified the child's tribe in item 1. However, item 1 does not indicate minors are Indian or identify their tribe(s). **Need** verified supplement.
 8. Petitioner alleges mother agrees with guardianship. However, no consent is filed.
 9. Upon referral to Court Investigator by the Court, requires Court Investigator Report.
 10. Petitioner requests authority to seek such medical, dental, psychiatric and psychological treatment/therapy as needed. **JTD.**
 11. Petitioner requests authority to apply for and receive such public benefits, Social Security and SSI benefits minors may be entitled to receive. **JTD.**
 12. ~Proposed Form Order/Letters 09/07/18.

RECOMMENDATION:

Need to clear notes 1-4 & 6-7 then Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

DATE: 10/16/18 TIME: 1:30 DEPT: S35G

CASE#: GAR PS1700341

CASE NAME: JADA RENE BROCKMAN ET AL

HEARING:

Hearing Re: COURT TRIAL (FIRST SESSION)

COUNSEL:

AMARI JAHCERE JOHNSON	(MIN)...PRO/PER
BOBBY BROCKMAN	(MILLIGAN, BESWICK LEVINE &
JADA RENE KINARD	(MIN)...PRO/PER
JAHREN BROCKMAN	(FAT)...MILLIGAN, BESWICK LEVINE & KNO
LEONDRA RENE KINARD	(GP)...PRO/PER

No notes – Court Trial.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH **GUARDIANSHIP**

DATE: 10/16/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700024

CASE NAME: SHELBY NOELLE SCHAFFER

HEARING:

Hearing re Final Discharge

COUNSEL:

MARINA SUZETTE MONTGOMERY (PET)...SCOTT
SHELBY NOELLE SCHAFFER (MIN)...

GENERAL INFORMATION:

Minor reached age of majority on 01/26/18.

Continued from **04/03/18**. Counsel represents there is nothing to report in the Summary of Account for the account period 3/07/17 to 1/26/18. Court will continue matter to allow counsel to file a verified supplement and a Petition for Final Discharge.

Continued from 06/26/18 at request of counsel.

THIS CASE IS SET FOR HEARING ON Final Discharge

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Court waived the final account at hearing on 01/30/18.
2. **Need** Summary of Account and all bank statements for the account period (03/07/17 to 01/26/18) per Local Rule 20-1311.
3. **Need** Ex Parte Petition for Final Discharge and Order.

RECOMMENDATION:

Inquire status. Discharge may not be granted before 01/30/19 as a guardian is not entitled to a discharge until one year after the ward has attained majority per Pr.C. §2627. Set next hearing for Final Discharge on **01/31/19** or thereafter.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 10/16/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800416

CASE NAME: GABRIELA STAR ARRONA

SEE ALSO 3

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

GABRIELA STAR ARRONA (MIN)...
RICHARD W GREENE (PET)...PRO/PER
YVONNE R GREENE (PET)...PRO/PER

FAMVS 1802079

GENERAL INFORMATION:

Ex-parte hearing is held on 09/13/18. Matter is continued. The Court refers matter to the Court Investigator. Ex-parte hearing is held. Matter is continued. The Court refers matter to the Court Investigator for an emergency DCFS Hotline referral. The reason for the referral is statements made on record and allegations made in petition. Matter referred to Dept. of Children and Family Services for investigation in compliance with WIC §§328, 329.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandparents ,Richard W. Greene and Yvonne R. Greene [“Petitioner”], minor Gabriela (6)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Minor does not live with petitioners.
2. **Need** Notice of Hearing and **proof of personal service** on mother Shirley Star Smith and father, Dannila Arrona.
3. **Need** Notice of Hearing and **proof of mailed service** on paternal grandmother, Marylue Arrona or file Due Diligence Declaration.
4. Court to review Confidential Guardian Screening Forms.
5. Signature by Richard W. Greene is not dated on Duties of Guardian form. **Need** same.
6. ICWA inquiry at Child Information Attachment [LF, p16] is incomplete at the caption and section 8. **Need** complete ICWA attachment.

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7. UCCJEA incomplete as to the minor's residence for last 5 years. **Need** verified supplement
8. Petition indicates petitioner intends to adopt minor
9. Petitioner alleges father agrees with guardianship. However, no consent is filed.
10. Upon referral to Court Investigator by the Court, requires Court Investigator Report.
11. **Need** DCFS Report.
12. Petitioner requests authority to apply for and receive such public benefits, Social Security and SSI benefits minors may be entitled to receive. JTD.
13. **Objections by father, Daniel Arona, filed. However, 15 days' notice was not given. Need proper service.**
14. ~Proposed Form Order/Letters 09/06/18.

RECOMMENDATION: Matter is contested.
Need to clear notes then Court's discretion.
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/16/18 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1800416

CASE NAME: GABRIELA STAR ARRONA

SEE ALSO 2

HEARING:

Hearing re: Petition for Appointment of Temporary Guardian/Conservator

COUNSEL:

GABRIELA STAR ARRONA (MIN)...

RICHARD W GREENE (PET)...PRO/PER

YVONNE R GREENE (PET)...PRO/PER

No notes – Judge to decide.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: JAMES MICHAEL WELCH

DATE: 10/16/18 TIME: 11:00 DEPT: S36G

CASE#: GAR RS700055

CASE NAME: CARLEY D MCCORMICK

HEARING:

Petition for PETITION FOR APPT OF GUARDIAN OF CARLY & KAYLA BY
DON & BARBARA NEFF

COUNSEL:

BARBARA NEFF	(GP)...PRO/PER
CARLY D MCCORMICK	(MIN)...
DON NEFF	(GP)...PRO/PER
JAMES RHODES	(PET)...THOMAS V PRATT
KAYLA K MCCORMICK	(MIN)...
TINA CONNER	(PET)...PRO/PER
TINA CONNER	(PET)...THOMAS V PRATT

GENERAL INFORMATION

Ex parte orders denied 08/31/17. No emergency. Parties represent there are no objections and all parties have reached an agreement regarding guardianship. Court encourages James Rhoses, Tina Conner and Barbara Neff to confer and submit a written agreement to Court by next hearing date.

Continued from **10/04/17**. Court deems father served and dispensed with notice. After discussion on the record, current guardian Tina Conner resigns as guardian as to Carly D. McCormick, only. Court appoints in her place Don Neff and Barbara Neff as co-guardians of the minor of Carly D. McCormick. Court continues matter as to minor Kayla K. McCormick, only.

Continued from **01/10/18**. A petition for removal needs to be filed.

Continued from **06/13/18** for notes to be cleared.

Continued from 08/21/18. Don and Barbara Neff need to resign as to Carly. A successor guardianship petition then needs to be filed by Tina Conner. Once the resignation and appointment of successor guardian, the petition by the Neff's for guardianship can be dismissed.

THIS CASE IS SET FOR HEARING ON Petition for Successor Guardianship by
Barbara Neff (great aunt) and Don Neff (spouse of great aunt), minor: Kayla (11)

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THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Minor Kayla does not currently reside with petitioners.
2. Mother is deceased.
3. Tina Conner (pgm) was appointed guardian of minors Carley and Kayla. **No current vacancy. Need to file petition for removal of guardian per Pr. C. §2651, or obtain signed resignation from current guardian per Pr. C. §2660.**
4. **Need** Notice of Hearing and Proof of Personal Service on Michael McCormick (father). Alternatively, as father is incarcerated, notice may be served in accordance with Local Rule 20-1317.
5. **Need** Notice of Hearing and proof of mailed service as to unknown paternal grandfather, or file Due Diligence Declaration.
6. Petitioner indicates she is the great-great aunt of minors. Court may wish to clarify petitioners' relationship to minors.
7. See confidential Guardian Screening Form by Barbara Neff filed 08/25/17, LFpg4.
8. Upon Court referral, need CI report.
9. ~Proposed form Order: 08/25/17

RECOMMENDATION

Need vacancy prior to appointment.

Need to clear notes 3-5, then Court's discretion.

(lh/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

DATE: 10/16/18 TIME: 11:00 DEPT: S36G

CASE#: SG SS05206

CASE NAME: MTR RE DANIEL JIMENEZ

HEARING:

Hearing Re: Petition to Terminate Guardianship

COUNSEL:

DANIEL JIMENEZ	(MIN)...
EUDORO JIMENEZ	(GP)...PRO/PER
JAZMIN T JIMENEZ	(MOT)...PRO/PER
KEVIN L COVARRUBIAS	(MIN)...
ZENAIDA JIMENEZ	(GP)...PRO/PER

GENERAL INFORMATION

Continued from 06/12/18. Court initially was going to refer this to DCFS for successor guardian but later found out that is not the process, so court does the following. Referred to Court Investigator for investigation and report. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Petition for Termination filed by co-guardians of the person, Zenaida and Eudoro Jimenez ("Petitioners"-maternal grandparents), minor Daniel (14), only.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED;

1. Amended Letters of Guardianship issued 09/13/10.
2. Minor signed consent to termination, waiver of service and notice of hearing.
3. Petitioners allege minor suffers from mental issues; is verbally abusive; violent; threatening; and they are afraid for themselves and everyone in the home. Petitioners state minor needs mental and professional help. Petitioners request guardianship be terminated.
4. **Need** Termination of Guardianship form.
5. **Need** Notice of Hearing with proof of mailed service to mother, Jazmine T. Jimenez; father, Daniel Jimenez; and unknown paternal grandfather or need Due Diligence Declarations.
 - a. Due Diligence filed as to mother and father. **JTD.**
 - b. Petitioners request notice to be dispensed at to unnamed paternal grandmother who is purportedly deceased. **JTD.**

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6. **Need** CI Report.
7. ~Proposed Form Order 05/03/18.

RECOMMENDATION

Need to clear notes 4-6 then Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

GUARDIANSHIPS

DATE: 10/16/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1600417

CASE NAME: ALYSSA MICHELLE ROMERO ETAL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ALYSSA MICHELLE ROMERO (MIN)...
ISSAC ANTHONY ROMERO (MIN)...
KIM PETRA BAILEY (GP)...PRO/PER

GENERAL INFORMATION

Continued from 09/26/16; further notices to be given.

Continued from 11/22/16. Due Diligence Declarations filed in court. Court finds notice is complete. Matter referred to DCFS for receipt of report.

Continued from **03/14/17**. Matter continued for DCFS report previously ordered.

Continued from **05/16/17**. Hearing continued at request of DCFS to complete report.

Continued from **07/25/17**. Court finds temporary guardianship is in best interest of minors. Kim Petra Bailey appointed Temporary Guardian of the person.

Continued from **09/12/17** for another letter of reference to be given to CI. Matter re-referred to DCFS for report.

Continued from **01/16/18** The Court orders Kim Bailey to be present at next Hearing. The Court re-refers matter to DCFS for non-relative guardianship report.

Continued from **04/30/18** on courts motion. Matter re-referred to DCFS for non-relative guardianship report. Referred to Legal Aid. Notice by Judicial Assistant.

Continued from 09/17/18 on Court's motion for DCFS report to be completed and for petitioner to appear. Notice by Judicial Assistant.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Kim Bailey (**non-relative**), minors Alyssa (17) and Issac (13).

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Mother deemed served by her appearance on 09/26/16 and consents to guardianship
2. **Need** Notice of Hearing and Proof of Personal service on minor, Issac as he is age 13.

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

3. **Notice of no report filed 10/11/18 (image not available).** Notice of no report by DCFS filed 01/11/18 and 04/26/18. **Need** DCFS report.
4. ~Proposed form Order/Letters: 08/19/16

RECOMMENDATION

Need to clear notes 2-3, then court's discretion.

(lh/mr/lh/nb/cs/nb/cs/nb)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 10/16/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700567

CASE NAME: MTR OF RAYLEEN CHAVEZ, ET AL

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ARTHUR HERMOSILLO	(GP)...PRO/PER
MERCEDES HERMOSILLO	(GP)...PRO/PER
MIRANDA QUINONEZ	(MIN)...
RAYLEEN CHAVEZ	(MIN)...
ROXANNE QUINONEZ	(MIN)...

GENERAL INFORMATION:

Temporary Letters Issued 11/01/17.

Continued from 12/05/17 on courts motion. Petitioners served fathers. The Court informs petitioners that a person not a party to the action needs to serve. The Court informs petitioners that step-grandmother need not be served.

Continued from 03/13/18 on courts motion. Referred to Legal Aid.

Continued from 06/12/18 on courts motion. Case referred to Legal Aid for legal assistance.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandfather and wife, Arthur Hermosillo and Mercedes Hermosillo, minors now Rayleen (16); Roxanne (15) & Miranda (12).

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Mother is deceased.
2. Father #1, William W. Chavez, signed consent and waiver.
3. **Need** Notice of Hearing and **proof of personal service** on minors 12 or older and #2 (Vincent Quinonez). Alternatively, as father #2 (Vincent Quinonez) is incarcerated, notice may be served in accord with Local Rule 20-1317.
4. **Need** Notice of Hearing and **proof of mailed service** on paternal grandparents #1(Chavez) & #2 (Quinonez) or file Due Diligence Declaration(s).

- a. Proofs of Service to paternal grandmother #1, Noemi Chavez and paternal grandmother #2, Rosa Quinonez, do not include notices. **Need** proper notice.
5. **Need** Consent of Proposed Guardian by petitioner, Mercedes Hermosillo.
6. No proposed order/letters. Submit Order/Letters after hearing.

RECOMMENDATION:

Need to clear notes 3-5 then Court's discretion.

(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 10/16/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700638

CASE NAME: MTR OF: LEGEND GRISSOM

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

LEGEND GRISSOM (MIN)...
NICOLAS WILLIAMS-LESLIE (GP)...KAMOLA L GRAY

XREF: FAMSS1503924 (Michael Sweaney-n-Kimberly N Grissom)

GENERAL INFORMATION:

Temporary guardianship of minor granted to Nicolas Williams-Leslie on 01/29/18.

Temporary Orders taken off calendar. Counsel requests this matter be taken off calendar as the petitioner, although not related to minor, was granted sole legal and physical custody of minor in family case (see X-REF above).

Continued from 01/29/18. Mr. Newnham reports Michael Sweaney was found to be the presumed father of minor by the juvenile court and he believes Michael Sweaney was appointed minor's guardian at that time. . Ms. Gray reports Nicolas Williams-Leslie was given sole legal and physical custody of minor in the family law proceedings. The Court orders copies of the juvenile court orders be lodged with the court. Michael Sweaney's whereabouts are unknown and minor is residing with Nicholas Williams-Leslie. Matter referred to DCFS for non-relative guardianship report **Continued from 06/18/18 on courts motion.**

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Nicolas Williams-Leslie (non-relative), minor: Legend, 4

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Per UCCJEA minor resides with petitioner in Riverside, CA since 04/16/15. It appears venue may be incorrect. **JTD**
2. Copy of Custody Order – Juvenile case number FAMSS1503924 filed 02/01/18.
3. Notice of Hearing and Proof of Service filed 03/01/18 on sibling Tyler Nett; however, address indicates mailed to in care of guardian. Per C.R.C. 7.51(d) notice to a minor must be sent directly to the minor. **Need** proper notice.

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

4. **Need** Notice of Hearing and Proof of Personal Service on Michael Sweaney (“presumed father”) Alternatively, as father lives outside of California, service may be completed by certified mailed and signed return receipt as proof of service per CCP §415.40.
 - a. Proof of service by mail filed 03/01/18; however, **need** return receipt.
 - b. Due Diligence filed as to father on 01/19/18. **JTD**.
5. **Need** Notice of Hearing and Proof of Personal Service on and Kimberly Grissom (mother).
 - a. Poof of service by mail filed 03/01/18; however, need personal service on mother. **Need** proper service.
 - b. Due Diligence filed as to mother on 01/19/18. **JTD**.
6. Petitioner request to dispense with notice as to paternal grandparents, Court to see Attachment 10, [Petition, LF p.4]. **JTD**
7. Court may wish to review Guardian Screening form, [LF p. 2, 4 & 5].
8. Court may wish to review Guardianship Questionnaire form, [LF p. 4 & 8].
9. UCCJEA indicates Juvenile Dependency matter in San Bernardino County case J-258061 and Family Law matter in Riverside County case number RID600445. Court to inquire.
- 10. Dismissal Report by DCFS filed.**
11. No proposed form Order. Submit after hearing.

RECOMMENDATION:

Need to clear note 3, then Court’s discretion re notes 1, 4, 5 & 6.

(cs/nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/16/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800190

CASE NAME: MTR OF LATREECE M COLEMAN

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

GLORIA Y COLEMAN (GP)...PRO/PER

LATREECE M COLEMAN (MIN)...

X-REF: SDASS 165073; FAMSS 1501370; MFLMD 09732

GENERAL INFORMATION:

Ex parte orders denied 05/10/18. Allegations made by petitioner specified on minute order. Court state that petitioner/grandmother should also be contacted if needed by DCFS. Matter referred to Dept. of Children and Family Services for investigation in compliance with WIC §§328, 329.

Continued from 06/12/18. Mother deemed served by her appearance today. Mother reports father is on his way to court today. Father deemed served by his attempted appearance today. Mother to file written objections to guardianship. Parties to exchange contact information and provide information to Court Investigator. Referred to Court Investigator for investigation and report. Case referred to Legal Aid for legal assistance.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Gloria Y. Coleman [petitioner-paternal grandmother], minor Latreece, now 12.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petition indicates minor resides with mother and also with Petitioner. UCJJE indicates minor resides with father. Court to verify.
2. Supporting declaration by petitioner affixed to petition [LF, pgs. 12-43].
3. **Need** Notice of Hearing and proof of **personal service** on minor 12 LaTreece.
4. **Need** Notice of Hearing and proof of **mailed service** on siblings 12 or older, Nathan White & Naytrianna White, unknown maternal grandfather and paternal grandfather, Clyde A. Brown or file Due Diligence Declaration(s).
 - a. Petitioner requests an Order Dispensing with unknown maternal grandmother who is purportedly deceased. **JTD**.
5. **Need** DCFS report as directed by Court.

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

6. Court to review Confidential Guardian Screening Form
7. Court Investigator Report filed.
8. Petitioner requests authority to seek such medical, dental, psychiatric and psychological treatment/therapy as needed. **JTD.**
9. Petitioner requests authority to apply for and receive such public benefits, Social Security and SSI benefits minors may be entitled to receive. **JTD.**
10. **Objections filed by mother, Christina Dotson. However, 15 days' notice was not given. Need proper service.**
11. ~Proposed Form Order/Letters 05/03/18.

RECOMMENDATION: Matter is contested.
Need to clear notes 3-5 then Court's discretion.
(nb)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

DATE: 10/16/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800199

CASE NAME: MARIA ALEJANDRA RUBIO

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MARIA ALEJANDRA RUBIO (MIN)...

RAMONA REYES (PET)...PRO/PER

GENERAL INFORMATION:

Continued from 06/18/18 on courts motion. Matter referred to Legal Aid for legal assistance.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Ramona Reyes (paternal grandmother), minor: Maria, 3

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. On Guardian Screening form, section 18, [LFp3], Petitioner indicates she is a responsible Corporate officer authorized to act; however, section is incomplete. Court to inquire.
2. Notice of hearing and Proof of service filed 05/22/18; however, proof does not indicate date of mailing or place mailed from.
3. **Need** Notice of Hearing and Proof of **Personal Service** [forms GC-020 & GC-020(P)] on Jose Rubio (father) and Michelle Portillo (mother).
 - a. Petitioner request to excuse from giving notice to parents as whereabouts are unknown [LF,p.6]. **Need** Request to Excuse Notice with Due Diligence Declaration per Local rule 20-1304.
4. **Need** Notice of Hearing and Proof of Service **by Mail** [form GC-020] on Jose Mendoza (paternal grandfather), Reina Portillo (maternal grandfather) and unknown maternal grandmother, or file Due Diligence Declarations.
5. Child Information, section 6 [LFp 10] re suitability for guardianship of this child is incomplete. **Need** verified supplement.
6. Need: Upon referral to CI by the Court, requires CI report.
7. ~Proposed form Order submitted: 05/07/18

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

RECOMMENDATION:

Need to clear notes 3-5, then Court's discretion
(cs/nb)

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: TARA REILLY

DATE: 10/16/18 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1800419

CASE NAME: ANGELINA SOPHIA DESROSIERS-GOMEZ

HEARING:

Hearing re: Petition for Appointment of Guardian

COUNSEL:

ANGELINA SOPHIA DESROSIERS-GOM (MIN)...
JANICE S DESROSIERS (PET)...PRO/PER
NORMAN H DESROSIERS (PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by maternal grandmother and husband, Norman and Janice DesRosiers, minor Angelina (11).

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Mother, Chrissa DesRosiers-Brunet, signed nomination, waiver and consent.
2. **Need** Notice of Hearing and **proof of personal service** on unknown father.
 - a. Norman and Janice DesRosiers request an Order Dispensing with Notice as to deceased maternal grandfather, Martin Long and unknown father and unknown paternal grandparents, as the person listed on the birth certificate was found by Riverside Court to not be minor's father. **JTD.**
3. **Need** Notice of Hearing and **proof of mailed service** on siblings 12 or older and unknown paternal grandparents or file Due Diligence Declaration(s).
4. Petition indicates minor has Indian ancestry. Notification of Rights under Indian Child Welfare Act (ICWA) must be served.
 - a. ICWA-030 form is to be completed by the petitioner to the best of their ability and must be signed and dated. As petitioner is not represented by an attorney, service will be done by the clerk of the court **once the form is completed and submitted by petitioner.** The ICWA-030 and a copy of the petition with attachments must be served on the parents, Indian Custodian (if applicable) and the Tribe and/or Bureau of Indian Affairs. **Need** signed return receipt card.
 - b. Notice must be given as to all subsequent hearings unless or until such time as it is determined that the act does not apply to the case.

Revised second check notes post two court days prior to the hearing. Documents filed at least **seven days prior to the hearing** will be included while later documents may be delivered to the courtroom for consideration at the judge's discretion. ♦ Examiners can be contacted at ProbateNotes@sb-court.org for clarification of the notes only - **no legal or procedural advice will be given.**

- c. If no response is received from the tribe within a reasonable time (not less than 60 days) from the tribe the court may determine that the act does not apply.
 - d. If the tribe intervenes service of the ICWA-30 form is no longer required and subsequent notices will be in the standard form contained in the Probate Code for service of notice.
 - e. Notice in the manner described above must be served in addition to all notices required by the Probate Code.
 - f. **No proceeding shall be held until at least 10 days after receipt of notice by the parent, Indian custodian, the tribe or the Bureau of Indian Affairs per Pr.C.§1460.2(e).**
5. **Need** Parental Notification of Indian Status (form ICWA-020).
 6. If a Court Investigator and/or DCFS is appointed, then the investigator must consult with the Indian child's tribe per Pr.C. §1513(h).
 7. Child Information Attachment, Sections 1c (1) (2) & 8 re ICWA inquiry are incomplete. **Need** same.
 8. Child Information Attachment, Sections 1e & 1a are incomplete. **Need** same.
 9. Upon referral to Court Investigator by the Court, requires Court Investigator Report.
 10. ~Proposed Order/Letters 09/07/18.

RECOMMENDATION:

Need to clear notes then Court's discretion.

(nb)