

June 2009 Bench-Bar Committee Announcements

www.bonds-services.com/sdprobate

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 June aimed at improving the efficient handling of matters pending before the probate court:

- The bench-bar committee has a website, courtesy of Bond Services. These announcements, along with announcements from prior months and helpful tips and information, are posted on the site. The URL is www.bonds-services.com/sdprobate
- The court investigator will no longer be visiting proposed limited conservatees of the person. As such, the court-appointed attorney will need to give the proposed limited conservatee of the person the same disclosures that the court investigator used to give regarding the proposed limited conservatee of the person's rights to object to the conservatorship, object to the proposed conservator, etc.
- The North County Probate Bar is conducting a survey on attorney fees. If you receive the survey, please kindly complete it and return it as soon as possible.
- Attorneys may, but are not required to, lodge copies of documents already in the court's file in support of the pleading at issue. If an attorney chooses not to lodge copies of those documents, please reference the date the documents was filed when referencing a document already in the court's file.
- As a result of the state budget crisis, we anticipate that there will be severe budget cuts impacting the court. There are no specifics yet, but we should be prepared for significant reductions in service.
- If there is a true emergency where priority processing is an absolute necessity, explain the emergency to your judge at the hearing. Chances are,

accommodations can be made to address the immediate need for an order.

- Please be considerate of others when picking up materials from the attorney pick-up slots by ensuring that you return items to their proper slot.
- For court-appointed attorneys who are appearing on matters where the County of San Diego is to pay their fees, the court-appointed attorney should prepare his or her own order for payment of fees. Also, note that a truncated version of the case number and case name should appear on the check stub from the county.
- Effective June 1, 2009, and with respect to Petitions for Probate only, the proposed order, proposed letter, and bond may be submitted up to 15 days prior to the hearing to expedite processing of the letters and order.
- The guardianship calendar in PC1 is being moved to 1:15 from 1:30.
- The guardianship calendar in PC2 is being moved to 9:00 from 9:30.
- A new court investigator referral form will be coming later this year. The updated form will request contact information for persons the court investigator must contact per the revisions to the Probate Code regarding conservatorships.
- As a reminder, there is a new ex parte cover sheet on the court's website and a new nunc pro tunc order form.
- The order clerk reviews the probate examiner's notes when processing orders, and as such, it is important for attorneys to also review—and proofread—the examiners' notes prior to telecourt or the hearing. If there are errors in the examiners' notes—even typos—they should be corrected with the probate examiner prior to the hearing or, at the very least, corrected in court at the time of the hearing. Otherwise, there may be delays in processing your orders.
- For those attorneys seeking CLS certification, please note that although the monthly probate lunches qualify for MCLE credits, they do not qualify for CLS certification.