



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 07/31/17

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.

(07/05 cs)(07/25 cs)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

GUARDIANSHIPS

DATE: 07/31/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600193

CASE NAME: MADISON KNAPP AND BRANDON KNAPP

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

HEIDI M. JANZ

(GP)...CORNELL L HATCHER

MADISON KNAPP

(MIN)...

BRANDON KNAPP

(MIN)...

SCOTT KNAPP

(PET)...MARIE I BRAUN

XREF: KD067906 Dissolution action re parents

GENERAL INFORMATION:

Heidi Janz (maternal aunt) was appointed temporary guardian of the person of Brandon Knapp (now 15), pursuant to stipulation and order filed 09/29/16; all future hearings were dismissed at that time. Temporary letters filed 05/04/16 were to expire "upon general disposition of general petition" but hearing on the general petition was dismissed.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Heidi Janz (maternal aunt), minor: Brandon 15

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

1. Mother is deceased.
2. Proof of mailed service filed 07/05/17 and served on opposing counsel as to father; however, requires personal service. Need proper service.
3. Need Notice of Hearing and Proof of Personal Service on Brandon (minor).
4. Need Notice of Hearing and Proof of Service by Mail [form GC-020] on paternal grandparents (Scott and Annette Caforio), maternal grandparents (Fred and Norma Janz), and sibling (Madison), or file Due Diligence Declarations.
5. Need Confidential Guardian Screening form.
6. Need Confidential Guardianship Questionnaire form.
7. Need Consent of Proposed Guardian.
8. Need CII referral form.
9. Need completed UCCJEA Declaration as item 6 is incomplete.
10. Child Information Attachment and UCCJEA Declaration are contradictory as to minor's residence. Need verified supplement clarifying minor's current residence.

11. Petitioner indicates mother and father have joint legal custody of the minor children under in case KD067906.
12. Court to see petition LF. p 8 and 10.
13. Upon referral to CI by the Court, requires CI report.
14. No proposed order submitted.

RECOMMENDATION:

Need to clear notes 2 -10. Contested matter. Does court wish to trail matter to be heard with Petition for Termination of Guardianship filed by father and set for 08/08/17.

(cs)

Future Hearing: Petition for Termination of Guardianship 08/08/17

Superior Court of Calif, County of San Bernardino

Page: 2

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

DATE: 07/31/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600572

CASE NAME: KAIDEN MATTHEW SALAS

HEARING: Readiness Calendar

COUNSEL:	
THERESA G PERALTA-GREENE	(PET)...LAURA E. GONZALEZ
KAIDEN MATTHEW SALAS	(MIN)...
ROBERT J SALAS	(PET/FAT)...DONALD M MEDEIROS

No notes – Readiness. JTD

Future Hearings: 8/14/17-8/16/17: Court Trial

Superior Court of Calif, County of San Bernardino

Page: 3

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

DATE: 07/31/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600582

CASE NAME: MTR OF MAKAYLAH MARIE DUBERG

SEE ALSO 4

HEARING: Petition for VISITATION GUARDIANSHIP

COUNSEL:

ERIKA RENE ROMERO	(GP)...EWANISZYK LAW FIRM
MAKAYLA MARIE DUBERG	(MIN)...PRO/PER
SUZANNE TOCCO	(PET)...PRO/PER
JOSEPH TOCCO	(PET)...PRO/PER
BETTY TOCCO	(PET)...PRO/PER

Waiver of Court Fees and Costs filed by MAKAYLA MARIE DUBERG is GRANTED

Future Hearings: 8/22/17: Petition for Appointment of Guardian (2x), Readiness Calendar, Petition for Appointment of Temporary Guardian, 9/05/17: Court Trial

No notes – Visitation. JTD

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 07/31/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600582

CASE NAME: MTR OF MAKAYLAH MARIE DUBERG

SEE ALSO 3

HEARING:

Petition for VISITATION GUARDIANSHIP

COUNSEL:

ERIKA RENE ROMERO	(GP)...EWANISZYK LAW FIRM
MAKAYLA MARIE DUBERG	(MIN)...PRO/PER
SUZANNE TOCCO	(PET)...PRO/PER
JOSEPH TOCCO	(PET)...PRO/PER
BETTY TOCCO	(PET)...PRO/PER

Waiver of Court Fees and Costs filed by MAKAYLA MARIE DUBERG is GRANTED

Future Hearings: 8/22/17: Petition for Appointment of Guardian (2x), Readiness Calendar, Petition for Appointment of Temporary Guardian, 9/05/17: Court Trial

No notes – Visitation. JTD

Superior Court of Calif, County of San Bernardino

Page: 5

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

DATE: 07/31/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600613

CASE NAME: MTR OF MIKAYLA M ROLAND

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

EARLE W PATTERSON (GP)...PRO/PER
LAKEYSHA G PATTERSON (GP)...PRO/PER
MIKAYLA M ROLAND (MIN)...

GENERAL INFORMATION:

Continued from 03/13/17 Court dispenses with notice to father, paternal grandparents and mother. Court clears probate note 3 re notice to father, mother, and minor. Referred to CI.

THIS CASE IS SET FOR HEARING ON **Amended** Petition for Appointment of Guardian, person only, by Earle W. Patterson (Maternal Uncle) and Lakeysha G. Patterson (Maternal Aunt) minor Mikayla (17) DOB: 12/08/99.

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

1. Petitioner seeks broad medical/dental powers. Recommend order to reflect that requested medical/dental powers are subject to PC 2353(b).
2. 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.
3. **CI's Special Report filed 07/17/17.**
4. ~Proposed form Order: 12/07/16

RECOMMENDATION:

Court's discretion re CI's Special Report.

(cs)

Superior Court of Calif, County of San Bernardino

Page: 6

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

DATE: 07/31/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700052

CASE NAME: MTR OF FERLANDO PEARSON

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

CARISA KENGINI (GE)...PRO/PER
FERNANDO PEARSON (MIN)...

GENERAL INFORMATION:

Temporary Orders denied on 02/09/17

Continued from 03/20/17 to clear probate notes.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Carisa Kengni (Aunt), minor Ferlando 7

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

1. Amended petition filed 04/21/17 indicates guardianship of the person is being requested; however, Child attachment and related forms indicate guardianship of the estate. Question the scope of the guardianship being sought and require amended petition if estate power are being requested, using form GC-210.
2. Amended Duties filed 04/21/17 contains wrong court address, petitioner's name is misspelled and only indicates guardianship of the estate requested. Need proper Duties of Guardian.
3. Amended Guardian Screening filed 04/21/17 contains wrong court address and only indicates guardianship of the estate requested. Need proper Guardian Screening.
4. Consent of proposed guardian filed 04/21/17 and signed by mother and father contains wrong court address, petitioner's name is misspelled and only indicates guardianship of the estate requested. Need proper consent signed by parents.
5. Notice of Hearing filed 04/21/17 as to paternal grandparents, maternal grandparents, mother and father; however, item 1 of Notice indicates Petition for Temporary Guardianship has been filed, contains wrong court address, and there is no indication if copy of petition was served to grandparents. Need proper service.
6. Need Notice of Hearing and Proof of Service by Mail [form GC-020] on sibling (Jasper) if age 12+, or file Due Diligence Declarations.
7. Per UCCJEA minor resides with mother in Victorville, CA .
8. Upon referral to CI by the Court, requires CI report.

9. ~Proposed form Order filed 04/27/17

RECOMMENDATION:

Need to clear notes 1-6, then Court's discretion.

(cs)

Superior Court of Calif, County of San Bernardino

Page: 7

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

DATE: 07/31/17 TIME: 11:00 DEPT: S35G

CASE#: GAR SS1400412

CASE NAME: ANGELINA GARCIA

HEARING: Petition for VISITATION FILED BY MOTHER GLORIA G GARCIA

COUNSEL:

GINA PEREZ	(GP)...PRO/PER
JAVIER PEREZ	(GP)...PRO/PER
ANGELINA GARCIA	(MIN)...
GLORIA G GARCIA	(MOT)...PRO/PER

No notes –Visitation. JTD

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

DATE: 07/31/17 TIME: 11:00 DEPT: S35G

CASE#: GAR SS800213

CASE NAME: RE IVORY WOODLY, SHARIAH WOODLY, CIERRA WOODLY
HEARING: hearing re: Petition for Termination of Guardianship

COUNSEL:

CHARITY FOWLER	(PET)...PRO/PER
IVORY WOODLY	(MIN)...
SHARIAH WOODLY	(MIN)...
CIERRA WOODLY	(MIN)...
DEBORAH DUKES	(GP)...PRO/PER
JERAD WOODLY	(FAT)...PRO/PER

GENERAL INFORMATION:

Continued from 08/29/16. Father states this petition to terminate is to all three minor. Referred to Court Investigator for report; Court Investigator notified.

Continued from 10/31/16. Jerad Woodly (Father/Petitioner) indicates he is only requesting to terminate guardianship of the minors: Ivory and Shariah.

Continued from 03/13/17 Court grants termination of guardianship as to Ivory Woodly. Court sets deadline for objections as to the minor Shariah Woodly. If guardian objects to petition, she is to file by 04/24/17. If objections not timely filed, they will be deemed waived. Court notes: Court's intended decision, if no objections timely filed, court may grant the termination of guardianship as to Shariah Woodly.

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship filed by Jerad Woodly (father), as to minors: Shariah (16) *only*;

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

1. Charity Fowler (MGM) appointed guardian on 09/22/08.
2. Jerad Woodly (father) is seeking termination of guardianship of Sheriah Woodly.
3. Minor signed consent.
4. Need Notice of Hearing and Proof of Service by Mail as to mother, paternal grandparents, or file Due Diligence Declaration(s). – JTD.
5. Court Investigator Report filed on 10/20/16.
6. **No objections filed as of review of this file.**
7. Need proposed form order.

RECOMMENDATION:

Need notice, then Court's discretion.

(lh/jm/cs)

Superior Court of Calif, County of San Bernardino

Page: 9

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

DATE: 07/31/17 TIME: 1:30 DEPT: S35G

CASE#: GAR SS1400182

CASE NAME: DAISY GARCIA

SEE ALSO 10

HEARING: Re: COURT TRIAL ON PET TO TERMINATE GUARDIANSHIP

COUNSEL:

AMPARO ROMERO	(GP)...PRO/PER
DAISY GARCIA	(MIN)...
JOAQUIN GARCIA	(FAT)...PRO/PER

Waiver of Court Fees and Costs filed by AMPARO ROMERO is GRANTED

No notes – Trial. JTD.

Future Hearings: 8/01/17-8/03/17: Court Trial

Superior Court of Calif, County of San Bernardino

Page: 10 add-on

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

DATE: 07/31/17 TIME: 1:30 DEPT: S35G

CASE#: GAR SS1400182

CASE NAME: DAISY GARCIA

SEE ALSO 9

Hearing Re: PETITION FOR TERMINATION OF GUARDIANSHIP

COUNSEL:

AMPARO ROMERO	(GP)...PRO/PER
DAISY GARCIA	(MIN)...
JOAQUIN GARCIA	(FAT)...PRO/PER

GENERAL INFORMATION:

Ex Parte Orders denied on 08/12/16. Court made visitation orders as to father. Guardian to file written objections by 10/6/2016 if she objects to termination.

Continued from **10/06/16**. Court orders Guardian to file objections in writing and have them served on parties by 4pm on 01/05/17. Court notes if objections are not filed by that date, Court will deem the objections of guardian to be waived. Court dispenses with notice to maternal grandparents. Court clears note re notice to guardian and paternal grandfather. Cassandra Garcia provided testimony re notice in note 3, and note is cleared. Court made visitation orders.

Continued from 06/29/17 trailed to first date of trial.

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship by father, minor now (3).

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

1. Amparo Romero, paternal grandmother, was appointed guardian on 08/21/14.
2. Joaquin Garcia, father, is petitioning for termination of guardianship as he asserts he is able to provide sole care and a structured environment.
3. **Declaration in support of petition by Joaquin Garcia, father, filed 02/23/17.**
4. **Objection by Amparo Romero, guardian, with proof of service filed 12/15/16.**
5. **CI's Special Report filed 07/19/17.**
6. ~Proposed form Order: 08/03/16

RECOMMENDATION:

Court's discretion. Matter is contested.

(lh/cs)

Future Hearing: 08/01/17 Court Trial; 08/02/17 Court Trial; and 08/03/17 Court Trial

Superior Court of Calif, County of San Bernardino

Page: 1

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: CYNTHIA LUDVIGSEN

GUARDIANSHIPS

DATE: 07/31/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1600626

CASE NAME: MTR OF JAMESON CHARLES KIRKLAND ET AL

HEARING: Re: Declaration of Notice/Refer to CI

COUNSEL:

AMANDA Y MARTIN

(GP)...PRO/PER

JAMESON CHARLES KIRKLAND

(MIN)...

MEGAN ALEXIS KIRKLAND

(MIN)...

BILLY RAY KIRKLAND

(FAT)...LAW OFFICES OF NIEVES M OSABA

X-REF Nevada Case: CV-0022366

GENERAL INFORMATION:

Matter set on 03/20/17. If notice has been given and proof submitted by 03/27/17, the court will refer the matter to the CI.

Continued from 03/27/17

THIS CASE SET FOR HEARING ON Declaration of Notice/Refer to CI

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

- 1. Matter was referred to DCFS for investigation and report.**
2. Mother, maternal grandparents and paternal grandmother are deceased.
3. Chaisson Caudill (sibling) personally served, proof of service filed 03/21/17.
4. Ray Kirkland (pgf) served, proof of service filed 03/21/17
5. Per minute order of 12/23/16, Court dispenses with notice as to both minors.
6. Proof of service by mail filed 12/21/16 and 03/21/17 as to father. Father filed objections on 12/23/16 and 01/23/17. Does Court wish to waive notice.

RECOMMENDATION:

Court's discretion.

(cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/31/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700305

CASE NAME: YASMIN ELIZONDO GARCIA & ORLANDO ELIZONDO

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

ANNETTE Y ELIZONDO (PET)...PRO/PER
YASMIN ELIZONDO GARCIA (MIN)...
ORLANDO ELIZONDO (MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Annette Elizondo (maternal aunt), minors: Yasmin, 11 and Orlando, 7

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 fathers. As fathers are reportedly unknown; need copy of minors' birth certificates per Local Rule 20-1302.
 - a. Request to Excuse Notice with Due Diligence Declaration filed 07/05/17 as to unknown father. Form not dated. JTD
2. Need Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on Bridgette Elizondo (mother). Request to Excuse Notice with Due Diligence Declaration filed 07/05/17. Form not dated. JTD
3. Need Notice of Hearing and Proof of Service by Mail [form GC-020] on unknown paternal grandparents of both minors, Yvonne Williams (PGM#2) and Jose Elizondo (MGF).
 - a. Request to Excuse Notice with Due Diligence Declaration filed 07/05/17 as to grandparents listed above. Forms not dated. JTD
4. UCCJEA Declaration is not dated. Need completed form.
5. Petitioner seeks broad medical/dental powers. Recommend order to reflect that requested medical/dental powers are subject to PC 2353(b)
6. 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.
7. Upon referral to CI by the Court, requires CI report.

8. ~Proposed form Order submitted: 06/12/17

RECOMMENDATION:

Need to clear notes 1-4, then Court's discretion.

(cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/31/17 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1000364

CASE NAME: IN MTR RE RYAN ANDRUE CARTER

SEE ALSO 4

HEARING: Re: PETITION FOR REMOVAL OF GUARDIAN

COUNSEL:

JEANETTE NAVA	(GP)...PRO/PER
RYAN ANDRUE CARTER	(MIN)...
ISIDRO LUNA	(PET)...PRO/PER
NICOLE CARTER	(MOT)...PRO/PER

GENERAL INFORMATION:

Continued from **02/15/17**

Continued from 03/27/17. Maternal grandmother (guardian) states she does not know the father's name, other than his gang name or where he resides. Court excuses notice to the father.

THIS CASE SET FOR HEARING ON Petition for **REMOVAL OF GUARDIAN**, JEANETTE NAVA. By Isidro Luna (non-relative), as to minor: Ryan, age 6.

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

1. Current Guardian, Jeanette Nava (maternal grandmother) was appointed guardian, of the person, of minor, Ryan Carter, on 11/30/10.
2. Petitioner, Isidro Luna, has brought a petition to remove the current guardian, Jeanette Nava, and for appointment of Successor Guardian. Petitioner requests to remove guardian because minor is not safe with her.
3. Need Notice of Hearing with proof of service on and unknown paternal grandparents or file due diligence declarations.
4. Request to Excuse Notice with Due Diligence Declaration filed 03/28/17 as to Nicole Carter (mother), Jeanette Nava (mgm/guardian), Louie Carter (mgf). JTD
5. **Objection filed 03/23/17 by Jeanette Nava (guardian/mgm). Does court wish to deem notice waived as to guardian?**
6. Proposed Order 02/07/17

RECOMMENDATION:

Need to clear note 3, contested matter.

(cs)

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/31/17 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1000364

CASE NAME: IN MTR RE RYAN ANDRUE CARTER

SEE ALSO 3

HEARING: Petition for SUCCESSOR GUARDIANSHIP BY ISIDRO LUNA

COUNSEL:

JEANETTE NAVA	(GP)...PRO/PER
RYAN ANDRUE CARTER	(MIN)...
ISIDRO LUNA	(PET)...PRO/PER
NICOLE CARTER	(MOT)...PRO/PER

GENERAL INFORMATION:

Temporary Orders denied on 02/15/17.

Continued from 03/27/17 Court excuses notice to father.

THIS CASE SET FOR HEARING ON Petition for **Appointment of Successor Guardian**, of the person only, by Isidro Luna (non-relative), as to minor: Ryan, 6

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

1. Current Guardian, Jeanette Nava (maternal grandmother) was appointed guardian, of the person, of minor, Ryan Carter, on 11/30/10. Before the court can consider this petition for guardianship, there must be a vacancy in the current guardianship, either by removal or resignation. Court will have to determine the issue of removal before proceeding with the petition for guardianship. See notes on previous related matter.
2. Court excused notice to father in related matter. Does Court wish to excuse notice to father in this matter?
3. Need Notice of Hearing and Proof of Personal Service on Nicole Carter (mother) and Jeannette Naval (mgm/current guardian).
4. Need Notice of Hearing and Proof of Service by Mail on Louie Carter (mgf) and unknown paternal grandparents, or file Due Diligence Declarations.
5. 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.
6. Need DCFS report as Petitioner is non-relative per Pr.C. §1513(g).
7. ~Proposed form Order: 02/07/17

RECOMMENDATION:

Need to clear note 3 & 4, then Court's discretion.

(cs)

Superior Court of Calif, County of San Bernardino

Page: 5

CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: CYNTHIA LUDVIGSEN

DATE: 07/31/17 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1400580

CASE NAME: Nadia Alvarez, et al

HEARING: Re: Visitation Petition by Father (Robert Alvarez)

COUNSEL:

AGUSTINA REYES	(GP)...LAW OFFICE OF LUIS E LOPEZ
ENRIQUE REYES	(GP)...LAW OFFICE OF LUIS E LOPEZ
NADIA ALVAREZ	(MIN)...
FRANKIE NIEVES	(MIN)...
ROBERT ALVAREZ	(PET/FAT)...PRO/PER

Waiver of Court Fees and Costs filed by ROBERT ALVAREZ is GRANTED

No notes – Visitation. JTD

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

GUARDIANSHIPS

DATE: 07/31/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700037

CASE NAME: JADE FLOYD, ET AL

HEARING: Hearing re: Petition for Appointment of Guardian

COUNSEL:

LORI LEE FLOYD	(PET)...	LAW OFFICES OF DUANE P BOOTH
JADE FLOYD	(MIN)...	
CHRISTOPHER FLOYD	(MIN)...	
BRANDON FLOYD	(MIN)...	

GENERAL INFORMATION:

Continued from **03/06/17** at request of Court, waiting on a response from the tribe.

Continued from 06/05/17 at request of counsel to be present.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Lori Floyd (paternal aunt), minors Jade 13, Christopher 12, and Brandon 9

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

1. Petition indicates minors have Indian ancestry. Notification of rights under Indian Child Welfare Act (ICWA) must be served.
 - a. **Notice of the ICWA-030 was served on 12/16/16 Secretary of the Interior. Need return receipt.**
 - b. **Notice of ICWA-30 Properly served; Response filed 07/24/17 indicates Delaware Tribe of Indians decided to proceed with the enrollment process for the minors. The enrollment documents were completed and mailed.**
 - c. **Notice of ICWA 30 Properly served; Response filed 07/24/17 also indicates Cherokee Nation determined minors to be "Indian children" and that due to internal guardianship policy, Cherokee Nation Indian Child Welfare does not intervene in all guardianship matters. A notification will be sent if a decision is made to intervene is this matter.**
 - d. 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.
 - e. If the tribe intervenes service of the I.C.W.A. 30 form is no longer required and subsequent notices will be in the standard form contained in the Probate Code for service of notice.

- f. Notice in the manner described above must be served in addition to all notices required by the Probate Code.
- g. 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).**
2. Pr.C.§1513(h) requires that in guardianship cases where the minor has Native American ancestry, the Court Investigator "shall consult with the Indian child's tribe and include in the report information provided by the tribe." Need proof of service on Court Investigator.
3. Petitioner plans to adopt minors.
4. Petition alleges related matters in Orange County under Dissolution of Marriage case 14D006679; CLETS case 14V001234; Family Violence Indicator (FVI) case 14D006679; Probation Order (mother) case 14WF3927.
5. Upon referral to CI by the Court, requires CI report.
6. Petition alleges custody would be detrimental to the minors. Court to see petition [LF p. 3 and 10].
7. ~Proposed form Order/Letters 01/30/17

RECOMMENDATION:

Need to clear notes 1a, then Court's discretion.

(cs)

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

DATE: 07/31/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700090

CASE NAME: GAYTON MINORS

HEARING: Hearing Re: Petition for Appointment of Guardianship

COUNSEL:

MARISOL GASCON	(PET)...PRO/PER
SCARLETT A GAYTON	(MIN)...
SOFIA GAYTON	(MIN)...

GENERAL INFORMATION:

Temporary Orders granted on 03/06/17. Marisol Gascon is appointed Temporary Guardian of the person of Scarlett & Sofia Gayton. Referred to CI. Court orders Dina Riding and County Counsel to appear in court at next hearing (06/5/17) (Ms.Steigerwalt notified).

Continued from 06/05/17 Counsel reports the dependency court has initiated proceedings in this matter and that a further j/d is set for 6/30/17. Court orders Referred to CI to follow up in this matter and provide the Court the results of the hearing. Referred to CI

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Marisol Gascon (paternal aunt), minors: Scarlett, 16 & Sofia, 15

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

1. Need Notice of Hearing and Proof of Personal Service on Sergio Gayton (father), Sonia Beltran (mother) and minors, Scarlett and Sofia.
2. Need Notice of Hearing and Proof of Service by Mail on Ricardo Gaytan (pgf), Graciela Gonzalez (pgm) and maternal grandparents, or file Due Diligence Declarations.
3. UCCJEA is incomplete. Need verified supplement re complete 5 year residential history as to minor Sofia and at page 2, sections 4 – 6 need to be completed.
4. Need Declaration from Petitioner, Marisol Gascon, regarding interactions with DCFS as directed by court on 03/06/17.
5. Petition requests other orders at section 1(g); however, orders not indicated.
6. Child Information Attachment indicates minors do not have Indian ancestry; however, ICWA inquiry was not made [LF pgs. 12 & 18]. JTD
7. Petitioner intends on adopting minors.
8. **Court Investigator's Special Report filed 07/14/17.** Court Investigator's Report filed 05/15/17.

9. ~Proposed form Order submitted: 02/27/17

RECOMMENDATION:

Need to clear notes 1 - 5, then Court's discretion re CI Special Report.

(cs)

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

DATE: 07/31/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700327

CASE NAME: PIPER ELIZABETH CHILDRESS

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

GARY ALAN CHILDRESS (GP)...JOSEPH W HOWINGTON
SANDRA CHILDRESS (GP)...JOSEPH W HOWINGTON
PIPER ELIZABETH CHILDRESS (MIN)...PRO/PER

GENERAL INFORMATION:

Temporary Orders granted on 07/05/17. Gary and Sandra Childress are appointed Temporary Guardians of the person of Piper Childress.

THIS CASE SET FOR HEARING ON Amended Petition for Appointment of Guardian, of the person only, by Gary and Sandra Childress (maternal grandparents), minor: Piper 4

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

1. Note: it is unclear if Michael Mitchell (biological father) is a legal parent. Aurora Foster is allegedly named as the minor's "father" on the birth certificate, but has no biological ties to minor. Question if minor was adopted by Aurora Foster? Need verified supplement. Court may wish to require copy of birth certificate and/or adoption decree. [See petition, 06/28/17, LFpg3].
2. Christina Childress (mother) and Michael Mitchell (biological father) signed Nomination, Consent and Waiver filed 06/28/17.
3. Need Notice of Hearing and Proof of Personal Service as to Aurora Foster (parent/"father"). **Proof of service by mail filed 07/21/17 is insufficient. Need personal service.**
4. Need Notice of Hearing and Proof of Service by Mail on Carol Gilbert (pgm), "paternal" grandparents via Aurora Foster (not listed), and sibling (Kambriana) if age 12+, or file Due Diligence Declarations.
5. Duties of Guardian form by Sandra Childress is not dated at signature line. JTD
6. Child Information Attachment indicates minors do not have Indian ancestry; however, ICWA inquiry was not made [LF pg. 11]. JTD
7. Petitioners plan on adopting minor.
8. Upon referral to CI by the Court, requires CI report.

9. Petition for Termination of Guardianship was filed 7/10/17 by Aurora Foster; notice was not given. **Court may wish to trail this matter to 08/09/17.**
10. No proposed Order submitted.

RECOMMENDATION:

Need to clear notes 1, 3-6. **Court may wish to trail to 08/09/17.**

(cs/lh/cs)

Future hearing: 08/09/17 Petition for Termination of Guardianship (by Aurora Foster)

Superior Court of Calif, County of San Bernardino

Page: 4

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

DATE: 07/31/17 TIME: 11:00 DEPT: S37G

CASE#: GAR SS1500029

CASE NAME: URIAH ROCHA AND CARLOS ROCHA

HEARING: re: Petition for Termination of Guardianship

COUNSEL:

KARINA I VALDEZ	(PG)...PRO/PER
URIAH ROCHA	(MIN)...
CARLOS ROCHA	(MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Termination of Guardianship, by Shauana Martin (mother), minors: Uriah, 12 and Carlos, 11

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

1. Karina Valdez, paternal aunt, appointed Guardian of the person, of minors on 04/23/15.
2. Mother is petitioning for termination of guardianship.
3. Need Notice of Hearing and Proof of Service by Mail (form GC-020) to Karina Valdez (guardian), Carlos Rocha (father), Uriah (minor), maternal grandparents, paternal grandfather, Rosa Walton (paternal grandmother) and siblings, age 12+, or file Due Diligence Declaration(s).
4. Petitioner filed outdated Termination of Guardianship Parent Questionnaire form (2015). Does court wish to require the 2016 form? JTD
5. Petition is incomplete as to section 6 re request for special notice and section 9 re name and residence addresses of relatives. Need verified supplement.
6. ~Proposed form Order: 06/28/17

RECOMMENDATION:

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

(cs)