



Guardianship Calendar

Second/Final Check

Superior Court of California
County of San Bernardino
Probate Department

Probate Notes for Calendar Date: 09/18/17

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.

(08/23/17 cs)(09/12/17 cs)

CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT

GUARDIANSHIPS

DATE: 09/18/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600571

CASE NAME: MADISON RAMOS

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

JOE BUTANDA	(PET)...PRO/PER
CARMEN MACIEL	(PET)...PRO/PER
MADISON RAMOS	(MIN)...

GENERAL INFORMATION:

Continued from 12/12/16 and 05/01/17 Court clears probate note 2 re notice to father; note 3 re notice to paternal grandparents; and note 4 re notice on maternal grandmother and sibling. Court dispenses with notice to father, paternal grandparents, and sibling Felicity. Referred to DCFS.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of Guardian, person only, by Joe Butanda and Carmen Maciel (non-relatives), minor: Madison, 11 (DOB 09/30/05).

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

1. Mother (Priscilla Ramos) signed Nomination, Consent and Waiver filed 11/09/16
2. See Confidential Guardian Screening form by Carmen filed 11/9/16 (LF, p.4).
3. Petition alleges DCFS involvement (see LF, p.3).
4. Need DCFS report.
5. ~Proposed form Order/Letters: 11/09/16

RECOMMENDATION:

Need DCFS Report, then Court's discretion.

(lh/cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/18/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600573

CASE NAME: MTR OF XAVIER DAVID MORRIS

SEE ALSO 3

HEARING: Re: OSC RE DISMISSAL

COUNSEL:

PAULETTE MORRIS (GP)...PRO/PER
XAVIER DAVID MORRIS (MIN)...

Waiver of Court Fees and Costs filed by XAVIER DAVID MORRIS is GRANTED

See notes on next matter 3.

Superior Court of Calif, County of San Bernardino

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

DATE: 09/18/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1600573

CASE NAME: MTR OF XAVIER DAVID MORRIS

SEE ALSO 2

Hearing re: Petition for Appointment of Guardian

COUNSEL:

PAULETTE MORRIS (GP)...PRO/PER
XAVIER DAVID MORRIS (MIN)...

GENERAL INFORMATION:

Ex parte orders denied on 11/16/16.

Continued from 12/12/16 and 05/01/17 No appearance, OSC re Dismissal set. Court notes that if petitioner does not appear at next hearing, or have all probate notes cleared, Court will dismiss petition at next hearing date.

THIS CASE IS SET FOR HEARING ON OSC Re Dismissal on Petition for Appointment of Guardian, person only, by Pualette Morris (non-relative), minor Xavier, 17 (DOB 11/02/99)

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

1. Need Notice of Hearing and Proof of Personal Service as to mother (Amber Minniefield) and minor (Xavier)
2. Need Notice of Hearing and Proof of Personal Service on father (Randolf Romero). Alternatively, if father is incarcerated, notice may be served in accordance with Local Rule 20-1317.
3. Need Notice of Hearing and proof of mailed service as to maternal grandmother (Vickie Townsend), maternal grandfather (unknown), and paternal grandparents (unknown), or file Due Diligence Declarations.
4. Need verified supplement with prior guardianship case information. Petitioner indicates she was minor's prior legal guardian from 2001 to 2013 (see petition, LF, p.8). If prior guardianship was San Bernardino jurisdiction, court may wish to consolidate under lower case number.
5. Petition indicates pending juvenile matter in San Bernardino, and a pending civil matter in Federal court. Minor appears to be held at a Juvenile Detention Center in Apple Valley, CA. No case information provided. Court to inquire. (See petition, LF, p.7).
6. See Confidential Screening form (LF, p.2-8).
7. See Questionnaire, (LF, p.4).

8. Need DCFS report as petitioner is a non-relative.
9. ~Proposed form Order/Letters: 11/09/16

RECOMMENDATION:

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

(lh/cs)

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

DATE: 09/18/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700082

CASE NAME: AUSTIN BENNETT ET AL

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

SHELLY LYNN QUINN	(GP)...PRO/PER
AUSTIN BENNETT	(MIN)...
KAYLEE BENNETT	(MIN)...
ALEXZANDER BENNETT	(MIN)...
ERIN BENNET	(OBJ)...TERA D LEE
MITCHEL ROTH	(GAL)

X-REF FAMMS 1000619

GENERAL INFORMATION:

Temporary Orders denied on 03/01/17. Court deems it detrimental to uproot the minors at this time. Continued to be heard with the general petition.

Continued from 05/01/17 Court dispenses with notice to Alexa Bennett, Donna Luna, and paternal grandfather. Referred to CI. Court appoints Mitchell Roth as GAL for minor. Petitioner states minors reside with her. Matter is set contested. One full week time estimated for trial.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Shelly Lynn Quinn (maternal grandmother), minors: Austin, 11; Kaylee, 10; and Alexzander, 7

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

1. Proof of service by mail filed 04/13/17 as to Samuel Bennett (father); however, need personal service. Attorney Scott Streed was present at the 05/01/17 hearing for father. Does Court wish to deem notice waived?
2. Notice of Hearing and proof of mailed service filed on 04/13/17 as to Donald Fraley (MGF). However, proof of service does not indicate a copy of petition was served with notice. Also, each party must be served separately per CRC 7.51(a)(3). Need proper service. MGF was present at the 05/01/17 hearing. Does Court wish to deem notice waived as to Donald Fraley (MGF)?
3. Court to review Guardianship Questionnaire.

4. Petition requests visitation orders, [LF p. 6].
5. Petition alleges related family law case #FAMMS1000619.
6. Petitioner seeks broad medical/dental powers. Recommend order to reflect that requested medical/dental powers are subject to PC 2353(b).
- 7. CI Report filed 09/06/17.**
8. Need report of Court appointed GAL, Mitchell Roth.
9. ~Proposed form Order: 02/22/17

RECOMMENDATION:

Need to clear notes 1 and 2. Need GAL Reports, then Court's discretion.
(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/18/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700221

CASE NAME: MTR OF THOMAS ALAN BLEE

HEARING: Re: STATUS OF BLOCKED ACCOUNT

COUNSEL:

REBECCA M DOWNEY (GE)...TORRENCE L HOWELL
THOMAS ALAN BLEE (MIN)...

GENERAL INFORMATION:

THIS CASE IS SET FOR HEARING ON Status of Blocked Account.

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

1. Rebeca Downey (mother) appointed guardian of the estate of Thomas, age 9 on 07/24/17, no bond. Order entered 07/24/17 required petitioner deposit the sum of \$22,868.00 into a blocked account.
2. Need Receipt and Acknowledgment of Order for Deposit of Money into Blocked Account (form MC-356).

RECOMMENDATION:

Court to inquire re status.
(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/18/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700421

CASE NAME: ADRIAN E NERI & JAYLEEN NERI

HEARING: re: Petition for Appointment of Guardian

COUNSEL:

BERTHA A MARTINEZ	(PET)...PRO/PER
ALFONSO MARTINEZ	(PET)...PRO/PER
ADRIAN E NERI	(MIN)...
JAYLEEN NERI	(MIN)...

X-REF: FAMSS1705418 (Domestic Violence)

GENERAL INFORMATION:

Temporary Orders denied on 08/15/17

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Bertha and Alfonso Martinez (maternal grandparents), minors: Adrian, 5 and Jayleen, 1

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

1. Father, Emmanuel Neri Aguila signed Nomination, Consent and Waiver.
2. Paternal grandmother, Guillermina Neri signed Consent and Waiver.
3. Need Notice of Hearing and Proof of Personal Service [forms GC-020 & GC-020(P)] on Janett Martine Herrera (mother).
4. Need Notice of Hearing and Proof of Service by Mail [form GC-020] on Alfredo Neri (PGF), or file Due Diligence Declarations.
5. Duties and Liabilities are not dated by Alfonso Martinez. Need completed form.
6. Court to may wish to see Guardian Screening filed 08/08/17 by Alfonso Martinez, LF p. 3 – 5.
7. Court to may wish to see Guardianship Questionnaire by Alfonso Martinez, LF p. 4.
8. UCCJEA indicates Domestic Violence restraining/protective orders in effect, case FAMSS1705418.
9. UCCJEA indicates father has physical custody and claims visitation rights along with paternal grandmother.
10. Petitioners indicate biological father should keep custody of both minor children, [Petition, LF, p. 11].

11. Petitioners plan on adopting minors.
12. Upon referral to CI by the Court, requires CI report.
13. ~Proposed form Order submitted: 08/08/17

RECOMMENDATION:

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

(cs)

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

DATE: 09/18/17 TIME: 11:00 DEPT: S35G

CASE#: GAR PS1700422

CASE NAME: JOCELYN FRANCES BOYCE
HEARING: re: Petition for Appointment of Guardian

COUNSEL:

VERONICA J BAILEY (PET)...PRO/PER
JOCELYN FRANCES BOYCE (MIN)...
JULIE BOYCE (MOT)...PRO/PER

GENERAL INFORMATION:

Temporary Orders granted on 08/15/17. Veronica Bailey is appointed Temporary Guardian of the person of Jocelyn Frances Boyce. Mother, Julie Boyce, objects to petition for guardianship. Objections to be filed in writing and served by 4pm on 10/03/17. If objections not served/filed by date/time, they will be waived permanently.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Veronica Bailey (sibling), minor: Jocelyn, 13

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

1. Father and paternal grandfather are deceased.
2. Minor consents to the appointment of guardian.
3. Notice of Hearing and proof of personal service filed 08/15/17 as to minor and mother; however, section 6 of proof of service is incomplete. Need proper service.
4. Need UCCJEA Declaration.
5. Court may wish to review Guardian Questionnaire, [LF, p. 4].
6. Petitioner seeks broad medical/dental powers. Recommend order to reflect that requested medical/dental powers are subject to PC 2353(b)
7. 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.
8. Upon referral to CI by the Court, requires CI report.
9. **Objections filed 08/11/17 by Julie Boyce, mother.**
10. ~Proposed form Order submitted: 08/08/17

RECOMMENDATION:

Need to clear notes 3 and 4, then Court's discretion.

(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: STANFORD E. REICHERT TRIAL

DATE: 09/18/17 TIME: 1:30 DEPT: S35G

CASE#: GAR VS1300041

CASE NAME: MATTER OF LOVE & PRESTON MINORS

SEE ALSO 9

HEARING:

Hearing Re: COURT TRIAL ON PETITION TO TERMINATE GUARDIANSHIP

COUNSEL:

RITA LOVE (PET)...PRO/PER

KELVION L LOVE (MIN)...

MALAYJA L PRESTON (MIN)...

MISTY LOVE (MOT)...PRO/PER

Waiver of Court Fees and Costs filed by RITA LOVE is GRANTED

XREF: CSWS1602024 FAMVS1301172

Future Hearings: 9/19/17-9/20/17: Court Trial

No notes - Trial. JTD

Superior Court of Calif, County of San Bernardino
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CIVPRO San Bernardino District
PROBATE/CONSERVATORSHIP CALENDAR
HONORABLE: STANFORD E. REICHERT

DATE: 09/18/17 TIME: 1:30 DEPT: S35G

CASE#: GAR VS1300041

CASE NAME: MATTER OF LOVE & PRESTON MINORS

SEE ALSO 8

HEARING:

Hearing Re: Petition to Terminate

COUNSEL:

RITA LOVE	(PET)...PRO/PER
KELVION L LOVE	(MIN)...
MALAYJA L PRESTON	(MIN)...
MISTY LOVE	(MOT)...PRO/PER

XREF: CSWS1602024 (County of San Bernardino vs. Misty Love), **FAMVS1301172** (Rita Love –N- Misty Love)

GENERAL INFORMATION:

Continued from **04/19/16, 05/26/16 and 07/28/16**. Petitioner objected. Referred to CI.
Continued from **10/20/16, 01/12/17** Court sets OSC re Dismissal of the petition filed by mother, and Court will dismiss her petition if she doesn't appear.

Continued from **03/30/17**. Rita Love to be present for OSC possible granting of petition for Termination.

Continued from **06/08/17**. OSC taken off calendar. Notice dispensed with to Martha Berry, paternal grandparents of Malayja, and maternal grandparents. Notice to Michael Preston (father of Malayja) is complete. Jose Hernandez is not a party-only friend of mother. Rita Love to file notice of change of address. If guardian has objection, it must be filed by 06/30/17. If they are not filed by that deadline, court will deem them waived. CI notified.
Continued from 08/24/17 court confirms trial.

THIS CASE IS SET FOR HEARING ON Petition for Termination of Guardianship, by Misty Love (mother), minors: Kelvion, 9 and Malayja, 7

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

1. Rita Love, maternal aunt, appointed guardian of the person on 09/18/13.
2. Petitioner, Misty Love, requests that the guardianship of the person be terminated as it in the best interest of the minors.
3. Father of Kelvion is unknown. Birth certificate provided at initial hearing and notice dispensed.

4. CI Report filed 10/17/16. **Updated CI report filed on 08/10/17.**
5. Section 9 is incomplete as to relatives. Need same.
6. **Objection by Rita Love, guardian, filed on 07/06/17.**
7. -Proposed Form Order 03/03/16.

RECOMMENDATION:

Need to clear note 5. Matter is contested.

(nb/lc/lh/cs/lc/ww/cs)

Future Hearing:

09/18/17 *Court Trial*

09/19/17 *Court Trial*

09/20/17 *Court Trial*

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: JAMES MICHAEL WELCH

GUARDIANSHIPS

DATE: 09/18/17 TIME: 11:00 DEPT: S36G

CASE#: GAR PS1700005

CASE NAME: MTR OF JERICA COOK

Hearing re: Petition for Appointment of Guardian

COUNSEL:

MICHAEL PACEK

(GP)...PRO/PER

JERICA COOK

(MIN)...

GENERAL INFORMATION:

Continued from **02/06/17** Court excuses notice as to fathers and paternal grandparents.
Continued from 05/08/17 for proper notice. Court accepts declaration from 02/06/17 as to the minors' residential history.

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Michael Pacek (non-relative), minor Jerica age 9

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

1. Need Notice of Hearing and Proof of Personal Service as to Rebecca Cook (mother). Since mother is incarcerated, per Local Rule 20-1317, notice to incarcerated persons may be served by certified mail. Need return receipt verification.
2. Proof of service filed 01/10/17 as to Laurie Price (mgn) and Joleena Gonzalez (sibling); however, proof of service is not dated and there is no indication whether copy of petition was served (item 5 of proof of service). Need proper Service.
3. Need Notice of Hearing and proof of mailed service as to "unknown" maternal grandfather, or file Due Diligence Declaration(s).
4. Petitioner requests that if visitation orders are made as to mother, that she be required to complete a drug rehabilitation program (see Petition LF p. 5). JTD
5. Court to review Guardian Screening form and Questionnaire [LF p. 4].
6. **DCFS Report of no Report filed 05/03/17.**
7. ~Proposed form Order/Letters: 01/04/17.

RECOMMENDATION:

Need to clear notes 1 – 3 and DCFS Report. Court's discretion re note 6.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/18/17 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1200115

CASE NAME: CORINTHIA NIZHONI YAZZIE

SEE ALSO 3

HEARING: Re: Proof of Blocked Account

COUNSEL:

AMANDA LYNCH (GP/GE)...PRO/PER
CORINTHIA NIZHONI YAZZIE (MIN)...

GENERAL INFORMATION:

Matter set on 05/01/17 to provide proof of blocked account

Continued from 05/18/17 Order to deposit money in the amount of \$26,994.73 is signed this date. Receipt and Acknowledgment of Order is to be filed before the next hearing date.

THIS CASE IS SET FOR HEARING ON Proof of Blocked Account

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

1. Amanda Lynch (mother) appointed guardian of the estate of Corinthia Nizhoni Yazzie, age 11 (DOB 01/19/06), per order filed 06/20/12.
2. Order entered 05/18/17 required petitioner deposit the amount of \$26,994.73 into a blocked account.
3. Declaration of Amanda Lynch re funds placed in a blocked account filed 05/17/17; however, need Receipt and Acknowledgment of Order for Deposit of Money into Blocked Account (form MC-356).

RECOMMENDATION:

Inquire status. When the guardian does not file documents as ordered by the court, the court may take action as specified in Pr.C. §800 and CCP. §128.

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/18/17 TIME: 11:00 DEPT: S36G

CASE#: GAR SS1200115

CASE NAME: CORINTHIA NIZHONI YAZZIE

SEE ALSO 2

HEARING: Second Account and Report of AMANDA LYNCH and Petition for allowance of fees filed.

COUNSEL:

AMANDA LYNCH (GP/GE)...PRO/PER
CORINTHIA NIZHONI YAZZIE (MIN)...

Waiver of Court Fees and Costs filed by AMANDA LYNCH is GRANTED

GENERAL INFORMATION:

Continued from 05/18/17. Order to deposit money in the amount of \$26,994.73 signed. Receipt and Acknowledgment of Order is to be filed before the next hearing

THIS CASE IS SET FOR HEARING ON Second Account and Report of Amanda Lynch and Petition for Allowance of fees

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

1. Amanda Lynch (mother), appointed Guardian of the Estate of, minor Corinthia Yazzie (age 9) on 06/20/12, \$26,633.73 to be placed into a blocked account.
2. Accounting period 08/04/14 to 03/02/17. First accounting period covered through 08/04/14.
3. Need financial statement covering the ending date of account (03/02/17), or letter from financial institution verifying the balance of the CD on that date. **Letter from branch (filed with Declaration on 05/17/17, LF p. 4) indicates an account balance of \$26,994.73 as of 05/17/17; however, letter is not on bank letterhead. Does court wish to accept letter. JTD**
4. Financial documents do not reflect account is blocked, as required by order of appointment (order filed 06/20/12, LF page 3). - JTD
5. POH Start: \$26,883.69 (CD) POH End: \$26,987.96 Increase: \$104.27
6. Petitioner waives compensation.
7. Need allegation whether minor receives money from the VA, or money derived from the VA, and if so notice to same.
8. Need allegation whether minor has been a ward in a state hospital and if so, notice to appropriate agency.
9. Need allegation as to minor's current address during this account period.

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 7- 9. If approved, set next Accounting Review for **05/07/18** (if one year) or **05/06/19** (if two years). Account to be filed 30 days' in advance.

(cs)

Superior Court of Calif, County of San Bernardino

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CIVPRO

San Bernardino District

PROBATE/CONSERVATORSHIP CALENDAR

HONORABLE: TARA REILLY

GUARDIANSHIPS

DATE: 09/18/17 TIME: 11:00 DEPT: S37G

CASE#: GAR MS1200007

CASE NAME: MATTER OF DERIAN WILLIAMS, et al

SEE ALSO 2

HEARING: Petition for APPOINTMENT OF GUARDIAN OF PERSON

COUNSEL:

DERIAN WILLIAMS	(PET/MIN)...GREGORY P JOHNSON
DECEMBER WILLIAMS	(PET/MIN)... GREGORY P JOHNSON
DAYLYNN WILLIAMS	(MIN)...
DARAH WILLIAMS	(MIN)...LAW OFFICE OF KELLER & KAIMER
DORIS M WILLIAMS	(GP)...IGNAZIO FICARA
DESTINY WILLIAMS	(GP)...PRO/PER
CHARLES WILLIAMS	(PET)...PRO/PER
TARYN QUEZADA	(PET)...PRO/PER

X-REF MFLMS010428 (Restraining/custody orders)

GENERAL INFORMATION:

Per order of 04/24/14, attorney Natalie Keller remains appointed as minor's counsel for Daylynn and Darah Williams. She is make annual reports to the court and set hearing if necessary.

THIS CASE IS SET FOR HEARING ON Petition for Appointment of **Successor** Guardians, of the person only, by Charles Williams and Taryn Quezada (brother and spouse), minor: Darah, 14 (DOB 11/20/02) **only**

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

1. Doris Williams, paternal grandmother, was appointed sole guardian, of the person of minors Darah Williams and Daylynn Williams on 04/24/14. 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.
2. Petitioners are seeking to be successor co-guardians as to minor Darah Williams **only**. Minor does not want to follow rules that are set by guardian and does not want to live with guardian anymore.
3. **Minor, siblings (December and Daylynn) signed Consent and Waivers.**

4. Child Information attachment indicates minor resides with guardian, however, section 1(g) indicates minor resides with Petitioners. Need verified supplement clarifying who minor resides with.
5. Need Notice of Hearing and Proof of Service by mail as to Natalie Keller court appointed counsel, or file Due Diligence Declarations.
6. Court may wish to review Guardian Screening forms filed 07/31/17
7. Court may wish to review Guardianship Questionnaire filed 07/31/17 by petitioners, [LF p. 4].
8. Petition indicates custody orders. See X-Ref above.
9. Need report of Natalie Keller, Court appointed counsel for minors as directed by court on 04/24/14.
10. Upon referral to CI by the Court, requires CI report.
11. ~Proposed form Order/Letters: 07/31/17

RECOMMENDATION

Need to clear notes 4 – 5. Need report of court appointed counsel, then court's discretion.
(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/18/17 TIME: 11:00 DEPT: S37G

CASE#: GAR MS1200007

CASE NAME: MATTER OF DERIAN WILLIAMS, et al

SEE ALSO 1

HEARING:

Petition for REMOVAL OF GUARDIAN

COUNSEL:

DERIAN WILLIAMS	(PET/MIN)...GREGORY P JOHNSON
DECEMBER WILLIAMS	(PET/MIN)... GREGORY P JOHNSON
DAYLYNN WILLIAMS	(MIN)...
DARAH WILLIAMS	(MIN)...LAW OFFICE OF KELLER & KAIMER
DORIS M WILLIAMS	(GP)...IGNAZIO FICARA
DESTINY WILLIAMS	(GP)...PRO/PER
CHARLES WILLIAMS	(PET)...PRO/PER
TARYN QUEZADA	(PET)...PRO/PER

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for REMOVAL OF GUARDIAN by Charles Williams and Taryn Quezada (brother and spouse), minor: Darah, 14 (DOB 11/20/02)

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

1. Current guardian, Doris Williams (paternal grandmother), was appointed guardian, of the person of minors Darah Williams and Daylynn Williams on 04/24/14.
2. Petitioners, Charles Williams and Taryn Quezada, have brought a petition to remove the current guardian, Doris Williams, and for appointment of Successor Guardians as to minor Darah Williams. The request is based on declaration that minor does not want to follow rules that are set by guardian and she does not want to live with guardian anymore.
3. Need Notice of Hearing with proof of service on mother (Rhonda Williams), guardian (Doris Williams), minor (Darah), court appointed counsel (Natalie Keller) and all siblings age 12+, or file Due Diligence Declarations.~Proposed Order 7/31/17

RECOMMENDATION:

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

(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/18/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700399

CASE NAME: MTR OF MANINDER S CHOCHAN

SEE ALSO 4

Hearing re: Petition for Appointment of Guardian

COUNSEL:

SHIV RAM (GP)...CHRISTINA BATEMAN
MANINDER S CHOCHAN (MIN)...

GENERAL INFORMATION:

THIS CASE SET FOR HEARING ON Petition for Appointment of Guardian, of the person only, by Shiv Ram (uncle), minor: Maninder, 16 (DOB 10/16/00)

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

1. Mother, father, paternal grandmother and maternal grandfather are all deceased. .
2. **Minor and San Deep (sibling) signed Consent and Waiver.**
3. Need Notice of Hearing and Proof of Service by Mail on Batna Ram (paternal grandfather), Shanti Kaur (maternal grandmother) and all siblings age 12 or older, or file Due Diligence Declarations.
4. Guardianship Questionnaire is incomplete as to page 3, section re your health condition, questions re counseling. Need completed Questionnaire.
5. Court to review Child Information Attachment, LF p. 9.
6. Court to review Guardianship Questionnaire, LF pgs. 4 and 5.
7. Special Juvenile Immigrant Findings filed, see notes on next matter.
8. Upon referral to CI by the Court, requires CI report.
9. No Proposed form order. Submit after hearing.

RECOMMENDATION:

Need to clear notes 3 and 4, then Court's discretion.

(cs)

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

DATE: 09/18/17 TIME: 11:00 DEPT: S37G

CASE#: GAR PS1700399

CASE NAME: MTR OF MANINDER S CHOCHAN

SEE ALSO 3

Petition for SPECIAL IMMIGRANT JUVENILE FINDINGS

COUNSEL:

SHIV RAM (GP)...CHRISTINA BATEMAN
MANINDER S CHOCHAN (MIN)...

GENERAL INFORMATION

THIS CASE IS SET FOR HEARING ON Request for findings re: Special Immigrant Juvenile Status (minor is 16 and will attain age18 on DOB 10/16/18)

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

1. Petitioner, Shav Ram, paternal uncle, requests that the court issue an order finding that minor is eligible for special immigrant juvenile status under the Special Immigrant Juvenile Status Statute (SIJS), 8 U.S.C., § 1101(a)(27)(J), which provides in relevant part as follows:
 - a. "The term 'special immigrant' means ... an immigrant who is present in the U.S. –
 - i. who has been declared dependent on a juvenile court located in the United States or whom such a court has legally committed to, or placed under the custody of, an agency or department of a State, or an individual or entity appointed by a State or juvenile court located in the United States, and whose reunification with 1 or both of the immigrant's parents is not viable due to abuse, neglect, abandonment, or a similar basis found under State law;
 - ii. for whom it has been determined in administrative or judicial proceedings that it would not be in the alien's best interest to be returned to the alien's or parent's previous country of nationality or country of last habitual residence; and
 - iii. in whose case the Secretary of Homeland Security consents to the grant of special immigrant juvenile status..."
2. The specific findings required under the statutory scheme would be: (1) that petitioner is an immigrant placed under the custody of an individual appointed by a state court (probate guardianship); (2) that petitioner's reunification with one or both

- parents is not viable due to abandonment; and (3) it is not in the petitioner's best interest to be returned to his/her home country.
3. Once the above findings are made, petitioner may then begin the process with the Bureau of Citizenship and Immigration Services to obtain legal permanent residence status. In other words, the findings requested are a prerequisite to filing a petition for a "green card."
 4. State Superior Courts have jurisdiction to make factual findings of eligibility under SIJS See *N.O. v. Super. Ct. of Calif.*, County of Alameda, No. A122430 at 2-3 (Cal. Ct. App. 9/25/08). Thus, under the federal legislation, any superior court judge would have jurisdiction to hear the SIJS petition.
 5. Petitioner, Shav Ram, paternal uncle, offers facts in support of the requested findings stating, inter alia, the following:
 - a. Minor was born on 10/16/00, in the Philippines. Minor has been living in Fontana, CA since 2011. He does not have any ties to any family members that are outside of Fontana, CA area.
 - b. Minor's parents are both deceased and therefore their death caused an abandonment of the minor where reunification is not viable, or even possible. See Petition for specifics, LF p. 3 and 4.
 - c. He has two aunts in India, his country of nationality, one who has many constraints, financial being one of the biggest and the other who he has never seen. Minor has never lived in India.
 6. Per the statutory scheme, this petition is to proceed only if guardianship of the minor is granted pursuant to the accompanying petition.
 7. Need Notice of Hearing and Proof of Service on Maninder (minor), Batna Ram (Paternal grandfather), Shanti Kaur (maternal grandfather) and all siblings age 12 or older, or file Due Diligence Declarations.

RECOMMENDATION:

Need notice. Court to reach only if accompanying guardianship petition is first granted, then Court's discretion re factual findings that would support this petition.

(cs)

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

DATE: 09/18/17 TIME: 11:00 DEPT: S37G

CASE#: GAR SS1400138

CASE NAME: Anthony X Gutierrez
Hearing re: Petition for Termination of Guardianship

COUNSEL:

LETICIA M RAMIREZ (GP)...PRO/PER
ANTHONY X GUTIERREZ (MIN)...
ANDREW F GUTIERREZ (MIN)...
ALLISON ANTONETTE NORIEGA (MOT)...PRO/PER

GENERAL INFORMATION:

Continued form 05/15/17. Notice to father and paternal grandfather was filed 4/25/17. The Court requests guardian check in with minors while they vacation with mother over the summer. Referred to Court Investigator for investigation and report.

THIS CASE SET FOR HEARING ON Termination of Guardianship, by Alison Noriega (mother), minors: Anthony, 15 and Andrew, 13

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

1. Leticia M. Ramirez, paternal grandmother, appointed guardian of the person, of minors Anthony Gutierrez, age 15 (DOB 03/29/02) and Andrew F Gutierrez, age 13 (DOB 11/28/03) on 11/18/14.
2. Mother is petitioning for termination of guardianship on the basis that she is fully capable of taking care of her sons and their needs. She has a stable job, reliable car, current driver's license and has maintained a stable home for herself and her daughter for over 2 years.
3. Minors signed consent and waivers.
4. Need Notice of Hearing and Proof of Service by Mail (form GC-020) to Luis Gutierrez (father) and Roberto Gutierrez (paternal grandfather), or file Due Diligence Declaration(s).
5. **Court Investigator Report filed 08/30/17.**
6. **Objections filed by Leticia Ramirez, guardian/paternal grandmother on 05/16/17.**
7. ~Proposed form Order: 03/29/17.

RECOMMENDATION:

Need to clear note 4, then Court's discretion.
(cs)

Superior Court of Calif, County of San Bernardino

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

DATE: 09/18/17 TIME: 11:00 DEPT: S37G

CASE#: GAR SS900348

CASE NAME: MTR RE MIA J LAUSTERER

SEE ALSO 7

HEARING:

Petition for Grandparent Visitation

COUNSEL:

SONYA M OWENS	(GP)...PRO/PER
MIA J LAUSTERER	(MIN)...
JERRY OWENS	(PET)...ROBERT DELLER AND ASSOC
CHRISTINA LAUSTERER	(MOT)...ANIKO R HOOVER

No notes – Visitation. JTD

Superior Court of Calif, County of San Bernardino

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

DATE: 09/18/17 TIME: 11:00 DEPT: S37G

CASE#: GAR SS900348

CASE NAME: MTR RE MIA J LAUSTERER

SEE ALSO 6

HEARING:

Trial Setting Conference

COUNSEL:

SONYA M OWENS	(GP)...PRO/PER
MIA J LAUSTERER	(MIN)...
JERRY OWENS	(PET)...ROBERT DELLER AND ASSOC
CHRISTINA LAUSTERER	(MOT)...ANIKO R HOOVER

No notes – TSC. JTD