

**1. GUARDIANSHIP OF DAMIAN W. 22PR0234**

**Petition to Appoint Guardian**

On October 26, 2022, the petitioner/paternal grandmother submitted a letter requesting to withdraw her petition for appointment of guardian. She explains that the minor (age 16) wants to live with his mother. She states that she will be appearing at the hearing, along with the minor and his mother.

**TENTATIVE RULING # 1: APPEARANCES ARE REQUIRED AT 1:30 P.M. ON WEDNESDAY, NOVEMBER 2, 2022, IN DEPARTMENT EIGHT.**

**2. GUARDIANSHIP OF JOSUE R. 22PR0076**

**Status Review Hearing**

Letters of Guardianship of the person were issued on August 3, 2022. At the hearing on August 3, the court scheduled this review hearing.

**TENTATIVE RULING # 2: APPEARANCES ARE REQUIRED AT 1:30 P.M. ON WEDNESDAY, NOVEMBER 2, 2022, IN DEPARTMENT EIGHT.**

**3. GUARDIANSHIP OF KENDRA J. & ROBERT J. PP-20160104**

**Annual Status Review Hearing**

Letters of Guardianship of the person were issued on September 7, 2016. The annual guardianship status reports (Judicial Council Form GC-251) concerning the two wards were submitted by the guardian. Having read and considered the reports, the court finds that the guardianship shall continue.

**TENTATIVE RULING # 3: THE GUARDIANSHIP SHALL CONTINUE. THE COURT SETS THE NEXT ANNUAL STATUS REVIEW HEARING AT 1:30 P.M. ON WEDNESDAY, NOVEMBER 1, 2023, IN DEPARTMENT EIGHT.**

**4. GUARDIANSHIP OF KODY B. PP-20180030**

**Annual Status Review Hearing**

Letters of Guardianship of the person were issued on July 25, 2018. The annual guardianship status report (Judicial Council Form GC-251) concerning the ward was submitted by the guardian. Having read and considered the report, the court finds that the guardianship shall continue.

**TENTATIVE RULING # 4: THE GUARDIANSHIP SHALL CONTINUE. THE COURT SETS THE NEXT ANNUAL STATUS REVIEW HEARING AT 1:30 P.M. ON WEDNESDAY, NOVEMBER 1, 2023, IN DEPARTMENT EIGHT.**

**5. GUARDIANSHIP OF LOGAN D. PP-20190007**

**Status Review Hearing Re: Establishment of Guardianship in Washington**

This matter was continued from October 20, 2021, December 8, 2021, January 19, 2022, and April 20, 2022. To date, there is no proof in the court's file that a guardianship in Washington has been established.

**TENTATIVE RULING # 5: APPEARANCES ARE REQUIRED AT 1:30 P.M. ON WEDNESDAY, NOVEMBER 2, 2022, IN DEPARTMENT EIGHT.**

**6. GUARDIANSHIP OF HAYLIE T. PP-20120065****Petition to Terminate Guardianship**

On August 18, 2022, the father of the minor, Haylie, filed a petition for termination of the guardianship. The guardianship of Makayla previously terminated by of law.

The best interest of the child is the sole criterion for termination of a guardianship. (Guardianship of L.V. (2006) 136 Cal.App.4th 481, 491.) The Third District Court of Appeal stated the following concerning a claim that parental fitness alone is a sufficient ground for termination of a guardianship: “The parents claim that because they are fit parents—i.e., they can provide adequate food, clothing, shelter, and guidance for the minor—they are entitled to have the guardianship terminated and the minor returned to their custody. This is not the statutory standard in California law.... [I]t is the best interest of the child that governs whether the trial court should terminate a guardianship.” (Id. at pp. 488–489.)

The Third District stated in relation to an amendment of Probate Code § 1601 concerning the standard for termination of a guardianship: “In short, the Legislature agreed with the holding in Kassandra H. [(1998) 64 Cal.App.4th 1228, 1238] that ‘continuity and stability in a child’s life most certainly count for something’ [citation] ... and found that, in the absence of proof to the contrary, removing a child from what has been a stable, continuous, and successful placement is detrimental to the child. [Citation.] And in that circumstance, a finding of parental unfitness is not necessary to a finding of detriment to the child.” (Guardianship of L.V., supra, 136 Cal.App.4th at p. 491.)

**Notice**

There is no proof of service in the court’s file establishing that the minor’s mother, sibling Makayla, and the maternal grandmother were served with the notice of hearing and a copy of the petition. (Prob. Code §§ 1460(a) and (b)(5), 1510(c), and 1601.) The court investigator was unable to locate the mother due to inaccurate contact information, and no further information was found.

The guardians, the minor, and the paternal grandmother executed and signed item number 11 of the petition, consenting to termination and waiving service and notice of the hearing.

Report

The court investigator recommends that the father's petition for termination of the guardianship be granted.

**TENTATIVE RULING # 6: APPEARANCES ARE REQUIRED AT 1:30 P.M. ON WEDNESDAY, NOVEMBER 2, 2022, IN DEPARTMENT EIGHT.**

**7. GUARDIANSHIP OF MARIVIE M. 22PR0245****Petition to Appoint Guardian**

The sister of the proposed ward petitions to be appointed guardian of the person. Letters of Temporary Guardianship of the person were issued on September 21, 2022.

“Upon hearing of the petition, if it appears necessary or convenient, the court may appoint a guardian of the person or estate of the proposed ward or both.” (Prob. Code, § 1514(a).) The court applies a clear and convincing evidence standard of proof to its determination of whether or not it appears necessary or convenient to appoint a guardian, whether or not granting custody to a parent would be detrimental to the child, and whether or not granting custody to the nonparent is required to serve the best interests of the child. (Guardianship of Jenna G. (1998) 63 Cal.App.4th 387, 394.)

Petitioner filed the mandated (1) Child Information Attachment form for the Probate Guardianship petition (Form GC-210(CA)); (2) Duties of Guardian and Acknowledgment of Receipt form (Form GC-248); (3) Confidential Guardian Screening Form (Form GC-212); (4) Declaration Under UCCJEA (Form FL-105/GC120); and (5) Consent of Proposed Guardian (Form GC-211).

**Notice**

The minor’s mother recently passed away. The father and minor executed item numbers 2 and 4 of Judicial Council form GC-211 nominating petitioner to serve as guardian, consenting to her appointment, and waiving notice.

The maternal grandmother was served by mail with the notice of hearing and a copy of the petition on October 25, 2022. Petitioner submitted declarations of due diligence regarding her efforts to serve the minor’s paternal grandparents, maternal grandfather, and brother. (Prob. Code, § 1511(c).) The court finds that service of the notice of hearing and a copy of the petition should be dispensed with because the paternal grandparents, maternal grandfather, and brother cannot with reasonable diligence be given notice, or the giving of notice would be contrary to the interest of justice. (Prob. Code, § 1511(g); Cal. Rules of Ct., rule 7.52.)

Reports

To date, there is no DOJ live scan report concerning petitioner in the court's file.

To date, the court investigator's report is not in the court's file.

**TENTATIVE RULING # 7: APPEARANCES ARE REQUIRED AT 1:30 P.M. ON WEDNESDAY,  
NOVEMBER 2, 2022, IN DEPARTMENT EIGHT.**