

1. GUARDIANSHIP OF ERIC S., 23PR0045**Petition for Appointment of Guardian**

The aunt/legal adoptive sister of the proposed ward petitions to be appointed guardian of the person and estate. The proposed ward's natural grandparents previously adopted the minor, but his adoptive parents have passed away. In addition to a guardianship of the person, petitioner states that a guardianship of the estate is necessary because the proposed ward will receive Social Security survivor's beneficiary payments.

"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, subd. (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 proposed ward's adoptive parents are deceased. There is no proof of service in the court's file establishing that the proposed ward (age 17) was personally served notice of the hearing and a copy of the guardianship petition. (Prob. Code, § 1511, subd. (b).)

The proposed ward's natural parents are not entitled to notice. (Prob. Code § 1511, subd. (f)(2).)

Reports

To date, DOJ live scan reports concerning petitioner and her husband are not in the court's file.

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

TENTATIVE RULING # 1: APPEARANCES ARE REQUIRED AT 8:30 A.M., FRIDAY, JUNE 23, 2023, IN DEPARTMENT FOUR.