

1. CONSERVATORSHIP OF ROSEMARIE G., SP20130007

Readiness Conference

TENTATIVE RULING # 1: APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, MARCH 22, 2023, IN DEPARTMENT FOUR. ZOOM APPEARANCES ARE AUTHORIZED.

2. GUARDIANSHIP OF FERNANDO P. & DULCE P., 22PR0314

Petition to Appoint Guardian

This matter was continued from January 18, 2023.

To date, the following deficiencies identified at the last hearing have not been corrected: (1) no proof of personal service of the notice of hearing and a copy of the petition on the mother and father and/or no declaration of due diligence as to petitioners' efforts to locate the father; (2) no DOJ live scan reports concerning petitioners; and (3) no report from the court investigator.

TENTATIVE RULING # 2: APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, MARCH 22, 2023, IN DEPARTMENT FOUR.

3. MATTER OF THE HALL TRUST, 22PR0211**Petition for Instructions, to Compel Accounting, to Confirm Removal of Trustee, to Confirm Appointment of Successor Trustee**

Petitioner, Miles Hall, is a beneficiary and named Successor Trustee of The Hall Trust, created March 14, 2000, executed by Rachel May Hall. (Pet., Ex. 1.) On February 21, 2023, Miles Hall filed a first amended petition for instructions, to confirm removal of Benjamin Hall as Trustee, to confirm Miles as Successor Trustee, and to compel Benjamin to provide an accounting.

Rachel Hall, the initial Trustor, Trustee and beneficiary, died in 2015. Petitioner alleges that since the initial Trustor's death, the current Trustee, Benjamin, has violated the duty owed to petitioner as beneficiary by, amongst other things: (1) failure to provide Notice of Administration of the Trust; (2) failure to distribute the Trust assets to the beneficiaries in a reasonable or timely manner; (3) failure to communicate with petitioner regarding the preparation and selection of an investment strategy and the administration of the Trust; (4) threatened to charge petitioner for extraordinary trustee fees to provide information that the Trustee is obligated to provide to petitioner as beneficiary; and (5) imprudently managed the Trust, which significantly decreased the market value of the Trust's primary asset, a single-family home located in South Lake Tahoe.

Further, petitioner alleges that Benjamin has ceased or is unable to served as Trustee. Miles is nominated to serve as Second Successor Trustee in the Trust. Petitioner states that once he is appointed Successor Trustee and the accounting is approved, petitioner intends to utilize the arbitration provision in the Trust to resolve disputes. (First Am. Pet., Ex. 1, p. 1 ["Notice of Arbitration"].) However, petitioner contends that there is still a need to obtain court approval of an accounting and to interpret the Trust Agreement. (Id., Ex. 1, p. 17 ["Application to Court"].)

At the time this tentative ruling was prepared, there is no proof of service in the court's file establishing that the Trustee was served with the notice of hearing and a copy of the petition.

TENTATIVE RULING # 3: APPEARANCES ARE REQUIRED AT 8:30 A.M., WEDNESDAY, MARCH 22, 2023, IN DEPARTMENT FOUR.

4. CONSERVATORSHIP OF LUIS A., SP20190008

Biennial Review of Conservatorship of the Person

TENTATIVE RULING # 4: ABSENT OBJECTION, THE CONSERVATORSHIP SHALL CONTINUE. THE COURT FINDS THAT ASSESSMENT OF THE COURT INVESTIGATOR FEE WOULD CAUSE A HARDSHIP TO THE CONSERVATORSHIP AND WILL NOT REQUIRE REIMBURSEMENT OF THE FEE. THE COURT SETS THE NEXT BIENNIAL CONSERVATORSHIP REVIEW AT 8:30 A.M., WEDNESDAY, MARCH 19, 2025, IN DEPARTMENT FOUR. THE COURT INVESTIGATOR IS TO BE PROVIDED NOTICE OF THE NEXT HEARING DATE.

5. ESTATE OF VAIL, SP20180052

Petition for Order Conveying Title to Personal Property

TENTATIVE RULING # 5: ABSENT OBJECTION, PETITION IS GRANTED AS REQUESTED.