

From the Law Office of AMBER RODRIGUEZ

Mandatory New Forms for In Probate Matters

Effective January 1, 2015, there is a new Judicial Council form that is to be used in all matters where an heir or beneficiary is waiving the requirement of a bond. The form numbers are DE-142 and DE-111(A-3d). Because this is a “mandatory use” form, the court will no longer be able to accept the self-drafted bond waivers that have been previously used for this purpose.

In addition to the entirely new bond waiver form, many other forms have been updated. Those forms include the Spousal or Domestic Partner Property Order and both the temporary and permanent Letters of Conservatorship. You can see all of the updated forms on the judicial council website at <http://www.courts.ca.gov/forms.htm>.

Our local court has also created a new mandatory form. The new form, VN248, can be found at <http://www.ventura.courts.ca.gov/>, under the Self-Help tab, Local Forms. This form is titled, “Confidential Ex Parte/Temporary Conservatorship Information Summary.” As the title suggests, it is required whenever you file a new ex parte conservatorship petition. If it is not submitted with your ex parte petition, your filing may be delayed.

If you have any updates or information to share with our section, please let me know. Otherwise, we hope to see you at the end of March for Judge Reiser’s Annual State of the Probate Court presentation.

Amber Rodriguez is the Chair of the Executive Committee for the Estate Planning and Probate section of the VCBA. Her practice focuses on Probate and Trust Litigation and Administration, Estate Planning and Conservatorships. You can visit her website at www.estateattorneycalifornia.com or you can reach her directly at arodriguez@estateattorneycalifornia.com.