

*****This Calendar will be heard in Department 7*****

Tentative Rulings

October 2, 2023

Department 7

1:30 p.m.

NOTICE TO ALL GUARDIANS AND PETITIONERS: Phone appearances are highly recommended. Additionally, the Court's Self-Help Center is available by phone and email to assist Guardians and Petitioners. The Self-Help Center does not provide assistance with Guardianships of the Estate. Please see the Court's website for updated information and contact information for the Court's Self-Help Center.

Appearances will be by telephone through WebEx unless otherwise specifically ordered by the court. To appear through WebEx, please follow these instructions:

Call 1-(844) 517-1271 between 1:20 – 1:30 p.m.

The access code is 1464798527

There is no attendee ID number, so just follow verbal instructions for prompt.

Once you have gained access, wait for the court to start the calendar. Please follow these instructions once a calendar is called:

- 1. please mute your telephone until your case is called;**
- 2. please do not place the call on hold;**
- 3. minimize all background noise during your call;**
- 4. please identify yourself, each time, prior to speaking with the court;**
- 5. disconnect when the court has completed your case or cases;**
- 6. the court prohibits the recording of these proceedings.**

ANNUAL REVIEWS

GUARDIANSHIP OF ELIJAH SHACKELFORD

Case Number: CVPG13-0027695

This matter is on calendar for Annual Review. The annual Confidential Guardianship Status Report has not been submitted. **The Guardian is ORDERED to appear at today's hearing and submit the Annual Status Report at the time of the hearing. Failure to do so may result in the issuance of an Order to Show Cause why Monetary Sanctions in the amount of \$250.00 should not be ordered for violating the Court's order to appear and to file the report.**

GUARDIANSHIP OF SHANNON

Case Number: 22PG-0031546

This matter is on calendar for Annual Review. The annual Confidential Guardianship Status Report has been received by the Court. **An appearance is necessary on today's calendar to discuss the Confidential Guardianship Status Report.**

GUARDIANSHIP OF ASA SHELTON

Case Number: CVPG18-0029693

This matter is on calendar for Annual Review. The Court notes this matter is currently trailing confidential case CVSA22-0006724 regarding a Petition to Terminate the Guardianship. However, the Guardian must still submit the Annual Confidential Guardianship Status Report. **The Guardian is ORDERED to appear at today's hearing and submit the Annual Status Report at the time of the hearing. Failure to do so may result in the issuance of an Order to Show Cause why Monetary Sanctions in the amount of \$250.00 should not be ordered for violating the Court's order to appear and to file the report.**

GUARDIANSHIPS

GUARDIANSHIP OF HANNAH DUPREE AND COLTON ANDERSON

Case Number: 23PG-0032145

This matter is on calendar for hearing on a Petition for Appointment of Guardian of the Person. Letters of Temporary Guardianship issued on September 8, 2023. The Temporary Guardianship is set to expire today unless further extended.

Consent to appointment and waiver of notice is on file for the mother, father, paternal grandfather, and maternal grandmother. The Court will dispense with notice to the deceased maternal grandfather. The matter has been properly noticed. No objections have been raised. The paperwork appears to be in order.

The Court has reviewed and considered the Court Investigator's report filed September 19, 2023, and agrees with the recommendation to grant the Petition. The Court **FINDS** it would be detrimental for the child to be with either parent or any parent objecting to the guardianship, the guardianship is in the child's best interest, and the guardianship is necessary and convenient. The proposed guardian is suitable.

The Court **GRANTS** the Petition. Visitation shall be at the Guardian's discretion. A proposed Order Appointing Guardian has been lodged and will be executed by the Court. Annual Review is set for **Monday, October 7, 2024, at 1:29 p.m. in Department 9**. **No appearance is necessary on today's calendar.**

GUARDIANSHIP OF NELL GEHLE

Case Number: 23PG-0032107

This matter is on calendar for confirmation of counsel. The public defender has been appointed to represent the minor. The Court confirms the future hearing date of **October 16, 2023, at 1:30 p.m. in Department 9** for further proceedings on the Petition for Appointment of Guardian of the Person. **An appearance is necessary on today's calendar only by the public defender to confirm representation of the minor.**

GUARDIANSHIP OF MATTIE AND DOROTHY HANBY

Case Number: 23PG-0032028

This matter is on calendar for further proceedings on a Petition for Appointment of a Guardian of the Person. Letters of Temporary Guardianship issued on June 5, 2023, and are set to expire today unless further extended.

As previously noted, the Court dispenses with notice to the deceased mother, unknown fathers, and unknown paternal grandparents. A Declaration filed August 29, 2023, indicates the paternal grandfather is deceased. However, as previously noted, the outstanding service issue is for the maternal grandfather (the mother's father). It appears this is an error in the declaration and

proposed order, as the Petitioner has already established the paternal grandfathers (fathers' fathers) are unknown.

The Court has reviewed the Court Investigator's report, filed June 27, 2023, which recommends granting the Petition. **An appearance is necessary on today's calendar to clarify the notice issue with respect to the maternal grandfather.**

GUARDIANSHIP OF SAWYER HARSIN

Case Number: 23PG-0032150

This matter is on calendar for hearing on a Petition for Appointment of Guardian of the Person. Letters of Temporary Guardianship issued on September 5, 2023, and are set to expire today unless further extended.

There is no proof of service of the Notice of Hearing for the mother, father, maternal grandparents, or siblings. Insufficient information has been provided to permit the Court to dispense with notice to these parties. The parents must be personally served in order to move forward on the Petition. Prob. Code § 1511(b). All other parties may be served by mail. Prob. Code § 1511(c). The Court dispenses with notice to the deceased paternal grandfather. The Court has reviewed the Court Investigator's report, filed September 21, 2023, which recommends granting the Petition.

This matter is continued to **Monday, October 30, 2023, at 1:30 p.m. in Department 9** for further proceedings on the Petition. The Temporary Guardianship is ORDERED to remain in effect until the continued hearing date. Petitioner is ordered to file and serve a new Notice of Hearing, along with a copy of the Petition, for the continued hearing date on the parties identified above. In the alternative, if Petitioner cannot serve the parties identified above, the Court will require a declaration explaining why they cannot be served and the efforts of Petitioner to locate and serve the parties identified, in order to permit the Court to dispense with notice to the parties. **Warning: Failure to properly effect service or provide adequate basis to dispense with service as to the necessary parties will result in denial of the Petition. Notice is preserved. No appearance is necessary on today's calendar.**

GUARDIANSHIP OF MALIA LAKE

Case Number: 23PG-0032156

This matter is on calendar for hearing on a Petition for Appointment of Guardian of the Person.

The current guardian has submitted a Consent to Appointment of Guardian and Waiver of Notice; however, it appears the document does not bear an original signature. Additionally, no information has been provided regarding the status of the current guardianship that is in place in Sacramento, and whether the guardian is seeking to terminate guardianship there.

Proof of service of the Petition is on file for the guardian, maternal grandparents, paternal grandmother, and sibling. The Court dispenses with notice to the deceased mother, father, and paternal grandfather. The matter has been properly noticed. No objections have been raised.

This matter is continued to **Monday, October 30, 2023, at 1:30 p.m. in Department 9** for further proceedings on the Petition. Petitioner must submit information regarding the status of the current guardianship before this matter can proceed. **No appearance is necessary on today's calendar.**

GUARDIANSHIP OF ATHENA MASSEY

Case Number: 23PG-0032092

This matter is on calendar for confirmation of counsel and for further proceedings on a Petition for Appointment of Guardian of the Person. Letters of Temporary Guardianship issued on July 31, 2023, and are set to expire today unless further extended.

The father and mother have been personally served. Maternal grandfather has been served by mail. Proper proof of service is still needed for: paternal grandfather, paternal grandmother, maternal grandmother, and sibling Matthew Morris. The names of the maternal and paternal grandmothers are not listed in the Petition, so the Court cannot determine who has been properly served. Insufficient information has been provided to permit the Court to dispense with notice to these parties. The Court Investigator's Report, filed September 18, 2023, recommends the Petition be granted. Objections have been filed by father and mother.

This matter is continued to **Monday, October 23, 2023, at 1:30 p.m. in Department 7** for further proceedings on the Petition. The Temporary Guardianship is ORDERED to remain in effect until the continued hearing date. Petitioner is ordered to file and serve a new Notice of Hearing, along with a copy of the Petition, for the continued hearing date on the parties identified above. In the alternative, if Petitioner cannot serve the parties identified above, the Court will require a declaration explaining why they cannot be served and the efforts of Petitioner to locate and serve the parties identified, in order to permit the Court to dispense with notice to the parties. Warning: Failure to properly effect service or provide adequate basis to dispense with service as to the necessary parties will result in denial of the Petition. Notice is preserved. **An appearance is necessary on today's calendar only to confirm counsel for the minors.**

GUARDIANSHIP OF IVANNA, SHEILAH, AND AYESHA O'CONNOR

Case Number: CVPG22-0031459

This matter is on calendar for hearing on a Petition for Visitation filed by the minor's parents, Timothy & Joanne O'Connor. The matter has not been properly noticed. A Notice of Hearing has been filed but it was not served on the Guardians. The Petition and Notice of Hearing may be served on the Guardians by mail. The Pit River Tribe must also be served a copy of the Petition and Notice of Hearing and may also be served by mail. This matter is continued to **Monday, October 23, 2023, at 1:30 p.m. in Department 9** for further proceedings on the Petition for Visitation. The Petitioners shall file an amended Notice of Hearing for the continued hearing date and serve the Notice on the Guardians and the Pit River Tribe. A failure to timely file and serve the Notice of Hearing will result in the denial of the Petition at the continued hearing date. **No appearance is necessary on today's calendar.**

GUARDIANSHIP OF ANDY YOUNG-KENDRICK

Case Number: CVPG17-0029287

This matter is on calendar for hearing on a Petition for Visitation and a Petition for Termination of Guardianship filed by the minor's mother, Tessa Young. There is no proof of service on file for either Petition. This matter was continued to allow for proper notice and filing of proof of service, but nothing further has been filed. The Court Investigator's Report, filed July 24, 2023, recommends the Petition for Termination be denied. The Guardian has filed a Declaration which the Court will consider an Objection to the Petitions. **An appearance is necessary on today's calendar to discuss the status of service of the Petitions, and status of visitation.**