



Judicial Council of California

Please visit
courts website to
access the recording
of the July 12, 2024,
meeting.

Subject Details (With Text)

Meeting materials
are available through

File #: 19-198 **Version:** 1
Type: Rule/Form Proposal **Status:** Passed
File created: 8/9/2019 **In control:** Judicial Council
On agenda: 9/24/2019 **Final action:** 9/24/2019
Title: Rules and Forms | Probate Conservatorship and Guardianship: Accounting (Action Required)
Sponsors:
Indexes:
Code sections:
Attachments: 1. 20190924-19-198.pdf

Date	Ver.	Action By	Action	Result
9/24/2019	1	Judicial Council	approved	Pass

Title

Rules and Forms | Probate Conservatorship and Guardianship: Accounting (Action Required)

Summary

The Probate and Mental Health Advisory Committee recommends amending one rule of the California Rules of Court and approving one form to clarify existing requirements, provide guidance on submitting original account statements when they are issued and received electronically, and require submission of specified information about a ward's or conservatee's personal residence in support of a request for a waiver of an otherwise required periodic accounting. The amendments are needed to facilitate implementation of statutory accounting requirements and to protect a personal residence from loss or foreclosure by verifying that the fiduciary is using ordinary care and diligence.

Recommendation

The Probate and Mental Health Advisory Committee recommends that the Judicial Council, effective January 1, 2020:

- Amend rule 7.575 of the California Rules of Court to:
 - Restructure the existing provisions of the rule to clarify the distinction between standard and simplified accountings and the requirements for each;
 - Add subdivision (b) to provide guidance on submitting original account statements in paper form in support of a court accounting; and
 - Add subdivision (f) to require submission of specific documents regarding a conservatee's or ward's personal residence in support of a request for a waiver of an otherwise required accounting; and
- Approve *Request and Order for Waiver of Accounting* (form GC-410) for optional use.