



Judicial Council of California

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January 19, 2024

Subject Text

Meeting materials
are available through

File #: 19-238, **Version:** 1

Title

Rules and Forms | Disposition of Small Estates (Action Required)

Summary

The Probate and Mental Health Advisory Committee recommends revising three forms for use in proceedings to dispose of property in small estates without administration. The revisions are needed to implement legislation, effective January 1, 2020, that increases the threshold values triggering the probate court's authority to dispose of small estates without full probate administration. These technical changes replace the existing amounts on the three forms with the new amounts to ensure that the forms remain accurate when the new law takes effect.

Recommendation

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

1. *Affidavit re Real Property of Small Value (\$50,000 or Less)* (form DE-305) to replace "\$50,000" with "\$55,425";
2. *Petition to Determine Succession to Real Property (Estates of \$150,000 or Less)* (form DE-310) to replace "\$150,000" with "\$166,250"; and
3. *Order Determining Succession to Real Property (Estates of \$150,000 or Less)* (form DE-315) to replace "\$150,000" with "\$166,250."