

STANDING ORDER NO. 97-14

SUPERIOR AND MUNICIPAL COURTS OF SAN MATEO COUNTY
COUNTY OF SAN MATEO, STATE OF CALIFORNIA

IN THE SUPERIOR COURT)
FOR THE)
COUNTY OF SAN MATEO) ss.
STATE OF CALIFORNIA)

FILED
SUPERIOR AND MUNICIPAL COURTS
OF SAN MATEO COUNTY

JUN 16 1997

Peggy Thompson Ct. Executive Officer/Clerk
By [Signature] Deputy

STANDING ORDER RE: FILING OF INVENTORY AND APPRAISEMENT

Based upon the Exparte Application of Steven L. Dylina, Deputy County Counsel as attorney of record for the San Mateo County Public Guardian; and

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that this standing order will now issue excusing the Public Guardian for the County of San Mateo from complying with the requirements of Probate Code Section 2610 in filing the Inventory and Appraisal within 90 days from the date of appointment only in those instances where the conservatee owns real property and where it is necessary to sell said real property to meet the needs of the conservatee.

IT IS FURTHER ORDERED that the Public Guardian for the County of San Mateo will advise the Court that the sale of the conservatee's real property is anticipated in the General Plan filed with the Court.

This order shall supersede any previous order(s) and shall remain in effect indefinitely and until such time as the order is vacated or superseded by the Presiding Judge.

Dated: 6-16-97



[Signature]
Mark R. Forcum, Presiding Judge

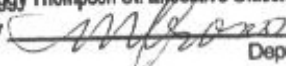
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FILED
SUPERIOR AND MUNICIPAL COURTS
OF SAN MATEO COUNTY

MAY 30 1997

Peggy Thompson Ct. Executive Officer/Clerk
By  Deputy

7
8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 IN AND FOR THE COUNTY OF SAN MATEO

10
11 **EX PARTE PETITION FOR STANDING**
ORDER RE: FILING OF INVENTORY
12 **AND APPRAISEMENT**

13
14 By way of this Ex Parte Application for Waiver of the provisions set forth in Probate Code
15 Section 2610 requiring the conservator to file the Inventory and Appraisalment within 90 days from
16 the date of appointment, it is submitted to the Court that many of the probate conservatorships filed
17 by the Public Guardian for the County of San Mateo involve a conservatee who owns real property.
18 In numerous instances there is a need to sell this real property to meet the long-term needs of the
19 conservatee.

20 It is also submitted to the court that a pattern has developed whereby the bids received
21 pursuant to the sale of real property has been established consistently at 90% of the appraised value
22 set forth in the Inventory and Appraisalment filed with the Court.

23 Given the depressed real estate market in the San Francisco Bay Area it is the experience of
24 Steven L. Dylina, Deputy County Counsel that overbids at the time of confirmation of sale are the
25 noted exception and not the general rule.

26 Probate Code Section 2610 allows the court discretion as to the time that the Inventory and
27 Appraisalment is in fact filed with the Court. By way of this Ex Parte Application, Steven L. Dylina,
28 Deputy County Counsel as attorney for the San Mateo County Public Guardian requests the issuance

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1 of a Standing Order allowing the Inventory and Appraisalment to be filed in conjunction with the filing
2 of the Petition for Confirmation of the Sale of Real Property. It is anticipated that this procedure will
3 eliminate the current practice of receiving only 90% of the appraised value at the time of the initial
4 bid.

5 By way of this Ex Parte Application the Public Guardian is seeking leave of the Court to file
6 the Inventory and Appraisalment past the 90 day time requirement of Probate Code Section 2610 only
7 in those conservatorship proceedings where the conservator seeks to sell the real property of the
8 conservatee. This request will either be set forth in the General Plan filed with the Court or
9 alternatively by Ex Parte Petition filed by the County Counsel for the County of San Mateo.

10 DATED: May 30, 1997

11
12 RESPECTFULLY SUBMITTED,

13 THOMAS F. CASEY, III, COUNTY COUNSEL

14
15
16 BY: 

17 STEVEN L. DYLIINA, DEPUTY

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