



SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN JOAQUIN | ADMINISTRATION

180 E. Weber Avenue, Suite 1306

Stockton, CA 95202

(209) 992-5695 | www.sjcourts.org

October 2, 2026

To All Interested Persons,

Re: Letter of Circulation Re: Local Rule Revisions Effective January 1, 2027.

Attached, you will find the revisions/additions to the following local rules:

(**Red** indicates changes; text ~~lined out~~ indicates deletions; **Green** underlines additions)

Rule 3. Civil – 3-113

Rule 4. Probate – 4-903

PROBATE FORMS

- | | |
|-----------------------------|---|
| 1. SJPR-208 | Report of Personal Representative |
| 2. SJPR-208-Attach23 | Attachment 23 to Report of Personal Representative |
| 3. SJPR-208A | Order on Report of Personal Representative |

We are submitting the revised rules to you in compliance with the Local Rules filing requirements under Government Code section 68071 and California Rules of Court Rule 10.613(c) and (d). We encourage your comments.

You may send your comments to localrules@sjcourts.org with a subject line stating “Comments on Proposed Rule changes.”

Comments must be received in our office no later than 5 p.m., Friday, November 16, 2026.

Sincerely,

Ruby Atwal
Executive Assistant

PROPOSED CHANGES TO SAN JOAQUIN COURT LOCAL RULES –
EFFECTIVE 1/1/2027

Rule 3 – Civil

3-113. CIVIL LAW AND MOTION Eff. 01/01/20)

- A. Except where there is an order setting the date, the moving party may schedule the Law and Motion hearing in the Superior Court Clerk's office when the moving papers are filed (subject to mandatory time provisions of statutes and Rules of Court). Motions are heard Tuesdays through Fridays at 9:00 a.m. When submitting the moving papers for filing, please have at least three (~~3~~ 5) dates (within the proper time provisions) for the clerk to check for availability. Proof of service of Notice of Hearing on the assigned date in a form compliant with CRC 3.1110 must be on file with the Superior Court Clerk's office prior to the scheduled hearing.

Rule 4- PROBATE

4-903. LANTERMAN-PETRIS-SHORT (LPS) CONSERVATORSHIPS (Eff 01/01/25)

- A. Unless the Court for good cause otherwise orders, not less than five (5) days before the appointment of a temporary LPS conservator, the Public Guardian shall personally serve notice of the proposed ex parte application and any other supporting documents seeking the appointment of a temporary LPS conservator on the Public Defender's Office. Proof of service must be on file with the Superior Court Clerk's office before any request is reviewed by the Court.
- B. If the LPS conservatorship is terminated, the Public Conservator shall prepare the order terminating the conservatorship and file it with the Court. If the matter involves a private conservator, the private conservator shall prepare the order terminating the conservatorship

and file it with the Court.

- C. Any proposed order submitted that grants a LPS conservatorship shall state the level of placement for the conservatee as ordered by the Court.

D. Except where there is an order setting the date, the moving party may schedule a hearing in the Superior Court clerk's office in the Probate Division when the moving papers are filed (subject to mandatory time provisions of statutes and Rules of Court). Motions, petitions, and other requests for relief in LPS matters are heard Mondays, Wednesdays, and Fridays at 8:45 a.m. or 9:00 a.m. When submitting the moving papers for filing, please have at least three (3) dates (within the proper time provisions) for the clerk to check for availability. Proof of service must be on file with the Superior Court Clerk's office before the scheduled hearing.

E. All temporary conservatorships expire automatically at the conclusion of 30 days unless the hearing for the appointment of the LPS conservatorship occurs before the end of the 30-day period.

~~D.~~ When a hearing to establish a permanent conservatorship is continued, the temporary conservatorship will automatically continue to be in effect until the date of continuance, provided that the temporary conservatorship does not exceed six months, subject to one of the parties presenting an objection to the court and the court ruling otherwise.

PROBATE FORMS

SJPR-208

REPORT OF PERSONAL REPRESENTATIVE

SJPR-208-Attach 23

ATTACHMENT 23 TO REPORT OF PERSONAL REPRESENTATIVE

SJPR-208A

ORDER ON REPORT OF PERSONAL REPRESENTATIVE

SJPR-208

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number and Address): TELEPHONE NO: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN JOAQUIN STREET ADDRESS: 315 W ELM STREET MAILING ADDRESS: 315 W ELM STREET CITY AND ZIP CODE: LODI, CA 95240 BRANCH OF NAME: LODI			
IN THE MATTER OF THE ESTATE OF:	CASE NUMBER: _____ HEARING DATE: _____ <table style="width: 100%; border: none;"> <tr> <td style="border: none; width: 70%;">DEPT: _____</td> <td style="border: none; width: 30%;">TIME: _____</td> </tr> </table>	DEPT: _____	TIME: _____
DEPT: _____	TIME: _____		
REPORT OF PERSONAL REPRESENTATIVE; ☐ FIRST ☐ (specify #): _____ ☐ FINAL ACCOUNT; ☐ WAIVER OF ACCOUNTING; AND ☐ PETITION FOR FINAL DISTRIBUTION ☐ AND FOR PAYMENT OF STATUTORY COMPENSATION ☐ AND EXTRAORDINARY COMPENSATION (Probate Code §§ 10831, 10900, 10951, 10954, 11620, 11640, et. Seq)			

Petitioner(s) (name(s)): _____ alleges:

1. Decedent (name): _____ died ☐ testate ☐ intestate on
 date: _____ at (place): _____ being at the time of death a resident of
☐ the County of San Joaquin, State of California
☐ (identify state and country of residence): _____
2. ☐ Will dated _____ ☐ and codicil(s) dated _____
 was/were admitted to probate by order of this court on _____.
3. a. This report concerns activity between (start date) _____ and (end date) _____.
 (Note: A first report starts on the decedent's death. A later report should start the end date of the prior report.)
 b. (1) ☐ All beneficiaries and/or his heirs waive an accounting by petitioner and required waivers of accounting are on file in this proceeding or are filed concurrently. (Local Form SJPR-207 required)
 (2) ☐ A summary of accounting and accounting schedules are attached hereto. (It is NOT required, but Judicial Council Forms GC-400(SUM), GC-405(A), GC-405(C), and other forms in the GC-405 series as appropriate may be used.)

PERSONAL REPRESENTATIVE

4. a. ☐ Petitioner qualified as special administrator and Letters were issued to petitioner on (date): _____
 b. ☐ Petitioner qualified as ☐ Executor ☐ Administrator ☐ Administrator with Will Annexed
 and Letters were issued to petitioner on (date): _____
 c. (1) ☐ At all times since issuance of Letters, petitioner has been and now is duly qualified as the personal representative of decedent's estate.
 (2) ☐ Petitioner's authority as personal representative of the decedent's estate was terminated by court order on (date): _____

**REPORT OF PERSONAL REPRESENTATIVE; PETITION FOR FINAL DISTRIBUTION AND
FOR PAYMENT OF STATUTORY COMPENSATION AND EXTRAORDINARY COMPENSATION**

INDEPENDENT ADMINISTRATION

5. a. ☐ Petitioner was authorized to administer the estate with ☐ full ☐ limited authority under the Independent Administration of Estates Act (IAEA) without court supervision. This authority has not been revoked.
- b. ☐ Petitioner did not take any action without prior court approval under the IAEA for which notice of proposed action was required; or
- c. ☐ Petitioner took action without prior court approval under the IAEA for which notice of proposed action was required. (A copy of the proposed action and proof of service needs to be attached as Attachment 5(c))
- d. ☐ Petitioner took action without prior court approval under the IAEA and without a noticed of proposed action:

i. Nature of action: _____

Gross Sales Price (if sale): _____

Date action was taken: _____

ii. Nature of action: _____

Gross Sales Price (if sale): _____

Date action was taken: _____

☐ Continued on Attachment 5(d).

CREDITORS

6. Notice of Petition to Administer Estate has been published for the period and in the manner as prescribed by law, and within thirty (30) days after completion of the publication there was filed with the Clerk of the Court an affidavit showing the publication in the manner and form required by law.
7. More than four (4) months have elapsed since the issuance of Letters. The time for filing and presenting creditor's claims has expired.
- a. ☐ Notice to creditors was given, in the form prescribed by the Probate Code, to all known and reasonably ascertained creditors of the estate; or
- b. ☐ Notice to creditors was not required because of the provisions of Probate Code § 9054; or
- c. ☐ No notice to creditors was given because there were no known or ascertainable creditors.
8. a. ☐ Other than taxes or creditor claims otherwise addressed in this petition, petitioner has no reason to believe that any public entity listed in Probate Code § 9201 has any basis for making a claim against the estate; or
- b. ☐ Notice(s) was/were sent as follows:

Date Mailed

☐ Employment Development Department: _____

☐ State Board of Equalization: _____

☐ Department of State Hospitals: _____

9. a. i. The notice required by Probate Code § 9202(a) was mailed to the Director of the California Department of Health Care Services with a copy of Decedent's death certificate on (date): _____
- aa. ☐ A copy of the death certificate of the decedent's pre-deceased spouse or registered domestic partner was attached. Name of pre-deceased spouse/registered domestic partner: _____

**REPORT OF PERSONAL REPRESENTATIVE; PETITION FOR FINAL DISTRIBUTION AND
FOR PAYMENT OF STATUTORY COMPENSATION AND EXTRAORDINARY COMPENSATION**

9. a. i. bb. ☐ The decedent was not the surviving spouse or registered domestic partner of a person who received Medi-Cal benefits.

 ii. ☐ The decedent did not receive and was not the surviving spouse or registered domestic partner of a person who received Medi-Cal benefits. Therefore, no notice to the California Department of Health Care Services is required.

 b. i. ☐ The notice required by Probate Code § 9202(b) was mailed to the Director of the California Victim Compensation Board on (date): _____ ; or

 ii. ☐ Petitioner knows of no heir or beneficiary that is or has previously been confined in a prison or facility under the jurisdiction of the California Department of Corrections or the California Department of Youth Authority or confined in any county jail, road camp, industrial farm or other local correctional facility. Therefore, no notice to the California Victim Compensation Board is required.

 c. The notice required by Probate Code § 9202(c) was mailed to the California Franchise Tax Board on (date): _____.

 d. i. ☐ The notice required by Probate Code § 9202(e) was mailed to the Director of the California Department of Child Support Services, or submitted electronically to the director through the department’s official website, on (date): _____ ; or

 ii. ☐ Petitioner is not aware, and has no reason to believe, that the decedent had a child support obligation under an order issued by a court of competent jurisdiction; or

 iii. ☐ Notice is not required because letters were first issued to petitioner before January 1, 2026.
10. a. ☐ No claim has been filed with the court; or
- b. ☐ The following claims were filed with the court:
- (Claims rejected and accepted in part: list the accepted portion in subsection i and the rejected portion in subsection iii.)

i. **Allowed Claims That Have Been Paid**

Name of Claimant	Date Claim Was Filed	Amount of Claim	Amount Allowed	Date Claim Was Paid
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
☐ Continued on Attachment 10(b)(i)			Total	\$

ii. **Allowed Claims That Have Not Been Paid**

Petitioner requests an order to pay the following claims plus ten percent interest from the date of the order as required by Probate Code §§ 11422-11423: (Also see item 35)

Name of Claimant	Date Claim Was Filed	Amount of Claim	Amount Allowed
		\$	\$
		\$	\$
		\$	\$
		\$	\$
☐ Continued on Attachment 10(b)(ii)			Total
			\$

REPORT OF PERSONAL REPRESENTATIVE; PETITION FOR FINAL DISTRIBUTION AND FOR PAYMENT OF STATUTORY COMPENSATION AND EXTRAORDINARY COMPENSATION

10. b. iii. **Rejected Claims**

Name of Claimant	Date Claim was Filed	Amount of Claim	Amount Rejected	Date Rejection Was Served on Claimant	Case Number and Status of Civil Action (if filed)
		\$	\$		
		\$	\$		
		\$	\$		
		\$	\$		

☐ Continued on Attachment 10(b)(iii)**Total**

\$

11. ☐ The following written demands for payment were received within four months after letters were first issued, and were treated as filed claims and paid before the expiration of 30 days after the four-month period, and (1) the debts were justly due; (2) the debts were paid in good faith; (3) the amounts paid were the true amounts of the indebtedness over and above all payments and offsets; and (4) the estate is solvent.

Date Paid	Payee	Description	Amount
			\$
			\$
			\$

☐ Continued on Attachment 11

12. The estate is ☐ solvent ☐ insolvent and petitioner has ☐ paid ☐ not paid all debts of the decedent and the estate and all expenses of administration except closing expenses and statutory fees.

TAXES

13. a. ☐ No federal or state estate tax return has been filed because the estate was not of sufficient size to require such a return and no estate taxes are due; or
- b. ☐ A ☐ federal ☐ state estate tax return has been filed, taxes owing, if any, have been paid, and ☐ the estate has been released from further liability or ☐ no clearance letter for estate taxes has yet been received.
14. a. ☐ No California or federal income taxes are due or payable by the estate, and no individual or fiduciary income tax returns were filed by the estate; or
- b. ☐ The following income tax returns were filed:

Individual Return(s)

Year	Date that Form 1040 was Filed	Amount Paid / (Refund)	Date that Form 540 was Filed	Amount Paid / (Refund)
		\$		\$

☐ Continued on Attachment 14(b)**Fiduciary Return(s)**

Tax Year	Date that Form 1041 was Filed	Amount Paid / (Refund)	Date that Form 541 was Filed	Amount Paid / (Refund)
		\$		\$
		\$		\$

☐ Continued on Attachment 14(b)

**REPORT OF PERSONAL REPRESENTATIVE; PETITION FOR FINAL DISTRIBUTION AND
FOR PAYMENT OF STATUTORY COMPENSATION AND EXTRAORDINARY COMPENSATION**

IN MATTER OF THE ESTATE OF (Name):	CASE NUMBER:
------------------------------------	--------------

15. a. ☐ No real or personal property taxes are due or payable by the estate; or
- b. ☐ Real or personal property taxes are due or payable by the estate as follows:

Date Payment was Due	Name of Taxing Entity	Description of Property being Taxed	Amount Due
			\$
			\$
☐ Continued on Attachment 15(b)			Total \$

SPECIAL NOTICE

16. a. ☐ No requests for special notice have been filed in this proceeding; or
- b. ☐ The following requests for special notice have been filed in this proceeding:

Name	Date Filed	Relationship	Date Withdrawn

☐ Continued on Attachment 16(b)

ASSETS

17. The following Inventory and Appraisal(s) have been filed with the court:

Date Filed	Type				Total
	☐ Partial No.	☐ Final	☐ Supplemental	☐ Corrected/Amended	\$
	☐ Partial No.	☐ Final	☐ Supplemental	☐ Corrected/Amended	\$
	☐ Partial No.	☐ Final	☐ Supplemental	☐ Corrected/Amended	\$
	☐ Partial No.	☐ Final	☐ Supplemental	☐ Corrected/Amended	\$

☐ Continued on Attachment 17

18. The estate consists ☐ entirely of ☐ a combination of decedents ☐ separate ☐ community ☐ quasi-community property.
19. The assets on hand at the end of the period of the report are as follows (*if real property, include address, legal description, and Assessor's parcel number*):

☐ Continued on Attachment 19

PROBATE CODE 1064 ALLEGATIONS

20. a. ☐ Petitioner alleges that no family or affiliate relationship exists between petitioner and any agent hired by petitioner during the period of administration; or
- b. ☐ The following family or affiliates were hired:

Name	Capacity Retained	Relationship

☐ Continued on Attachment 20

REPORT OF PERSONAL REPRESENTATIVE; PETITION FOR FINAL DISTRIBUTION AND FOR PAYMENT OF STATUTORY COMPENSATION AND EXTRAORDINARY COMPENSATION

21.
- a.

☐ There was no cash to invest in interest bearing accounts; or
- b.

☐ At all times during the period of administration, petitioner has kept all surplus cash invested in interest bearing accounts, except for funds needed for administration.
- c.

☐ Cash was not invested in interest bearing accounts and an explanation is provided in Attachment 21(c).

DISTRIBUTION

22.
- a.

☐ No preliminary distribution has been made; or
- b.

☐ The following preliminary distributions have been made:

Date of Order Authorizing Distribution	To Whom Made	Amount/Asset Distributed
☐ Continued on Attachment 22		Total

23.
- (Check one of the following:)
- a.

☐ No Will was admitted to probate.
- b.

☐ The decedent’s Will did not make any gift of cash or specific property.
- c.

☐ The decedent’s Will made gift(s) of cash or specific property, but the decedent died less than one year ago.
- d.

☐ The decedent’s Will made gift(s) of cash or specific property and the decedent died one year or more ago.
- Attachment 23 shows the information required by Probate Code §§ 1063(d) to (f) and 12002-12006.
- (Use Local Form SJPR-208-Attach23)

COMPENSATION

24.
- a.

The statutory commissions and statutory attorney’s fee should be calculated as follows:
- Inventory Value:

\$

- Plus Receipts

\$

(Receipts schedule must be attached)
- Plus Gains on Sales

\$

(Gains schedule must be attached)
- Less Losses on Sales

\$ (_____)

(Losses schedule must be attached)
- Total of Estate for Calculation**

\$

- 4% of the first \$100,000.00

\$

- 3% of the next \$100,000.00

\$

- 2% of the next \$800,000.00

\$

- 1% of the next \$9,000,000.00

\$

- ½ % of the next \$15,000,000.00

\$

- Total statutory compensation:**

\$

Prior Compensation

24. b. ☐ No previous orders have been made approving statutory or extraordinary commissions or fees.
- ☐ The following orders approving statutory and or extraordinary commissions or fees have been made:

Date of Order Authorizing Distribution	To Whom Made	Amount

☐ Continued on Attachment 24(b)

Prior Personal Representatives

- c. ☐ No other party was appointed personal representative of the decedent in this estate, and therefore no division of statutory commissions is necessary; or
- ☐ Attachment 24(c) provides a list of all parties appointed as personal representative of the decedent in this estate, including petitioner.

Prior Attorneys

- d. ☐ No other party has served as attorney of record for a personal representative of the decedent in this estate, and therefore no division of statutory fees is necessary; or
- ☐ Attachment 24(d) provides a list of all attorneys who have served as attorney of record for a personal representative of the decedent in this estate, including petitioner's counsel.

Statutory Commissions

- e. i. ☐ Petitioner requests payment ☐ to the petitioner ☐ (if being split) as indicated in attachment 32(a) of ☐ (for final reports) all unpaid statutory commissions.
- ☐ (if not a final report) a portion of the statutory commissions in the amount of \$_____ because petitioner has already performed a total of (percentage) _____% of the ordinary services. A detailed description of the ordinary services petitioner has already performed and those remaining to be performed are provided in attachment 24(e). (Also see item 32(a).)
- ii. ☐ (for final reports) Petitioner waives the right to request statutory commissions as personal representative.

Statutory Fees

- f. i. ☐ Petitioner requests payment ☐ to the petitioner's attorney ☐ (if being split) as indicated in attachment 33(a) of ☐ (for final reports) all unpaid statutory compensation.
- ☐ (if not a final report) a portion of the statutory fees in the amount of \$_____. A detailed description of the ordinary services petitioner's attorney has already performed and those remaining to be performed are in the attorney declaration provided as attachment 24(f), which indicates that the attorney already performed a total of (percentage) _____% of the ordinary services. (Also see item 33(a).)
- ii. ☐ (for final reports) Petitioner's attorney waives the right to request statutory fees.

EXTRAORDINARY COMPENSATION

25. a. ☐ Petitioner requests compensation for extraordinary services to the estate as described in attachment 25(a) in the amount of \$ _____ which has not been paid. (Also see item 32(b).)
- b. ☐ Petitioner requests compensation to attorney (name): _____ for extraordinary services to the estate as described in the attorney declaration provided as attachment 25(b) in the amount of \$ _____ which has not been paid. (Also see item 33(b).)

COSTS

26. a. ☐ Petitioner has performed all required duties as personal representative of the estate. All costs of administration incurred to date, including costs of publication and the probate referee’s fees, have been paid and the estate is now in a condition to be closed.
- b. ☐ Petitioner does not request reimbursement from the estate for any filing fee, publication fee, or other costs advanced to the estate, or has already been reimbursed from the estate; or
- c. ☐ Petitioner requests an order authorizing reimbursement from the estate for the following costs advanced from petitioner’s personal funds:
(Also see item 34)

Date Incurred	Payee	Purpose	Amount
☐ Continued on Attachment 26(c) Total			

26. d. ☐ Petitioner requests an order authorizing reimbursement from the estate for the following costs advanced by petitioner’s attorney:

Date Incurred	Payee	Purpose	Amount
☐ Continued on Attachment 26(d) Total			

RESERVE

27. a. ☐ Petitioner requests \$ _____ to be reserved for the reasons indicated below (also see item 36):

☐ Taxes and tax preparation fees

☐ County Recorder Fees

☐ Closing Expenses

☐ Other: _____
- b. ☐ No reserve is requested.

DISTRIBUTION OF REMAINING ASSETS ON HAND

28. ☐ Petitioner requests final distribution of the remaining property in the estate

☐ as indicated in Attachment 28 ☐ as follows:

Name and Relationship to Decedent	Age	Share of Estate	Approximate Amount of Cash or Description of Specific Asset

(NOTE: For real property, the attachment must include the full legal description and Assessor's Parcel Number.)

29. ☐ Other allegations attached as Attachment 29.

THEREFORE, Petitioner prays that:

30. The report and ☐ account ☐ waiver of account of the personal representative be approved.

31. All acts of the petitioner as personal representative be confirmed and approved.

32. a. ☐ Statutory commissions due to the personal representative be

☐ waived

☐ paid in the sum of \$ _____

☐ to the petitioner ☐ (if being split) as indicated in attachment 32(a)

b. ☐ Extraordinary commissions of \$ _____ be paid

☐ to the petitioner ☐ (if being split) as indicated in attachment 32(b)

33. a. ☐ Statutory fees due to the attorney for the personal representative be

☐ waived

☐ paid in the sum of \$ _____

☐ to the petitioner's attorney ☐ (if being split) as indicated in attachment 33(a)

b. ☐ Extraordinary fees of \$ _____ be paid

☐ to the petitioner's attorney ☐ (if being split) as indicated in attachment 33(b)

34. ☐ Reimbursement for costs advanced be paid in the amount of \$ _____ be paid to the petitioner

☐ \$ _____ be paid to the petitioner's attorney (name): _____

☐ (if paid to others) as indicated in attachment 34.

35. ☐ The personal representative be ordered to pay the following creditor's claims from the estate's funds plus ten percent interest from the date of the order as required by Probate Code 11422-11423:

Name of Claimant	Date Claim was filed	Amount

☐ Continued on Attachment 35

REPORT OF PERSONAL REPRESENTATIVE; PETITION FOR FINAL DISTRIBUTION AND FOR PAYMENT OF STATUTORY COMPENSATION AND EXTRAORDINARY COMPENSATION

36. ☐ The personal representative be authorized to reserve estate funds in the amount of \$ _____ for closing costs.

☐ (If amount is over \$1,500): An accounting of the reserve will be attached to the Ex Parte Petition for Discharge (form DE-295) per local rule 4-216.

37. ☐ Final distribution be made ☐ as indicated in Attachment 28 ☐ as follows:

Name and Relationship to Decedent	Age	Share of Estate	Approximate Amount of Cash or Description of Specific Asset

☐ Continued on Attachment 37
(NOTE: For real property, the attachment must include the full legal description and Assessor’s Parcel Number.)

38. ☐ (For final reports) Any property of the estate acquired or discovered after the court order for final distribution is made, including any unused portion of the reserve for closing costs, be distributed

☐ as indicated in Attachment 38 ☐ as follows:

Name and Relationship to Decedent	Age	Share of Estate

39. ☐ Other orders as attached on Attachment 39.

(DATE)

(SIGNATURE OF ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that the contents of this report and all attachments are true and correct.

(DATE)

(TYPE OR PRINT NAME OF PETITIONER)

(SIGNATURE OF PETITIONER)

(DATE)

(TYPE OR PRINT NAME OF PETITIONER)

(SIGNATURE OF PETITIONER)

SJPR-208 Attach23

IN MATTER OF THE ESTATE OF (Name):	CASE NUMBER:
------------------------------------	--------------

ATTACHMENT 23 TO REPORT OF PERSONAL REPRESENTATIVE; PETITION FOR FINAL DISTRIBUTION AND FOR PAYMENT OF STATUTORY COMPENSATION AND EXTRAORDINARY COMPENSATION

SPECIFICALLY DEVISED PROPERTY (Probate Code section 12002)

<u>Beneficiary</u>	<u>Specific Asset</u>	<u>Income Earned From Asset From Date of Death</u>	<u>Expenses Attributable to the Asset</u>	<u>Amount of Cash to Be Paid to Beneficiary in Addition to Asset*</u>

NOTE: If specifically devised property is sold during administration of the estate, the beneficiary is entitled to the net income from the property until the date of sale, and to interest on the net sale proceeds thereafter, but no interest accrues during the first year after the decedent's death.

GENERAL PECUNIARY DEVISE (Probate Code section 12003)

<u>Beneficiary</u>	<u>Amount of General Pecuniary Devise</u>	<u>Interest Earned Beginning After One Year From Date of Death**</u>

ANNUITIES COMMENCING AT THE DECEDENT'S DEATH (Probate Code section 12004)

<u>Beneficiary</u>	<u>Amount of Annuity</u>	<u>Interest Earned Beginning After One Year From Date of Death**</u>

DEVISEE OF A DEVISE FOR MAINTENANCE (Probate Code section 12004)

<u>Beneficiary</u>	<u>Amount of Unpaid Accumulations of Payments</u>	<u>Interest Earned Beginning After One Year From Date of Death**</u>

*Amount of cash to be paid to beneficiary in addition to the asset specifically devised is the income earned less the expenses attributable to the asset; however, the amount cannot be less than \$0.00.

**Pursuant to Probate Code section 12001, the rate of interest is 3 percentage points less than the legal rate on judgments in effect one year after the date of death of the decedent.

SJPR-208A

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number and Address): TELEPHONE NO: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN JOAQUIN STREET ADDRESS: 315 W ELM STREET MAILING ADDRESS: 315 W ELM STREET CITY AND ZIP CODE: LODI, CA 95240 BRANCH OF NAME: LODI	
IN THE MATTER OF THE ESTATE OF:	CASE NUMBER:
ORDER ON REPORT OF PERSONAL REPRESENTATIVE; ☐ FIRST ☐ (specify #): _____ ☐ FINAL ACCOUNT; ☐ AND WAIVER OF ACCOUNTING; ☐ PETITION FOR FINAL DISTRIBUTION ☐ AND FOR PAYMENT OF STATUTORY COMPENSATION ☐ AND EXTRAORDINARY COMPENSATION (Probate Code §§ 10831, 10900, 10951, 10954, 11620, 11640, et. Seq)	

1. The Petition came on regularly for hearing as follows:

- a. Judge (name): _____
- b. Hearing date: _____ Time: _____ Dept: _____

The court finds:

2. All notices have been given as required by law.
3. The period covered by the petition is (start date): _____ to (end date): _____ .
4. The ☐ waiver of account or ☐ account is true and correct and is settled, allowed and approved as filed.
5. The total value of the assets on hand at the end of the period of the report is \$ _____ ,
of which \$ _____ is cash.
6. ☐ Petitioner has performed all required duties as Personal Representative of the Estate. All costs of Administration incurred to date, including costs of publication and the probate referee's fees have been paid. The estate is now in a condition to be closed.
7. a. ☐ Petitioner waives all rights to statutory compensation as Personal Representative.
- b. ☐ All rights to statutory fees have been waived by attorney (name): _____

It is ordered that:

8. The report of the Personal Representative is approved ☐ subject to surcharge in the amount of \$ _____
9. All acts of the Petitioner as Personal Representative as reported are confirmed and approved.
10. a. ☐ The Personal Representative shall pay statutory commissions of \$ _____
☐ to the petitioner ☐ (if being split) as indicated in attachment 10(a)
- b. ☐ The Personal Representative shall pay extraordinary commissions of \$ _____
☐ to the petitioner ☐ (if being split) as indicated in attachment 10(b)

**ORDER ON REPORT OF PERSONAL REPRESENTATIVE; PETITION FOR FINAL DISTRIBUTION AND
FOR PAYMENT OF STATUTORY COMPENSATION AND EXTRAORDINARY COMPENSATION**

IN MATTER OF THE ESTATE OF (Name): _____	CASE NUMBER: _____
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11. a. ☐ The Personal Representative pay statutory fees of \$ _____
 ☐ to the petitioner's attorney ☐ (if being split) as indicated in attachment 11(a)
- b. ☐ The Personal Representative shall pay extraordinary fees of \$ _____
 ☐ to the petitioner's attorney ☐ (if being split) as indicated in attachment 11(b)

12. ☐ The Personal Representative shall pay as reimbursement for the costs advanced
 ☐ \$ _____ to the petitioner
 ☐ \$ _____ to the petitioner's attorney (name) _____
 ☐ (if being split, or paid to others) as indicated in attachment 12.

13. ☐ The Personal Representative shall pay the following creditor claims from the estate's funds plus ten percent interest from the date of the order as required by Probate Code 11422-11423.

Name of Claimant	Date Claim Was Filed	Amount of Claim
		\$
		\$
		\$
		\$

☐ Continued on Attachment 13

14. ☐ The Personal Representative reserve estate funds in the amount of \$ _____ for closing costs.
☐ The amount is over \$1,500.00 therefore an accounting of the reserve must be attached to the Ex Parte Petition for Final Discharge (DE-295) per local rule 4-216.

15. ☐ The Personal Representative shall distribute the assets of the estate as follows:

Name	Age	Share of Estate

☐ Continued on Attachment 15 (If an asset other than cash will be distributed, an attachment is required. For real property, the attachment must include the full legal description and Assessor's Parcel Number.)

16. ☐ Any other property of the estate acquired or discovered after this order is made, including any unused portion of the reserve for closing costs shall be distributed as follows:

Name and Relationship to Decedent	Age	Share of Estate	Approximate Amount of Cash or Description of Specific Asset

☐ Continued on Attachment 16

17. ☐ Other orders as attached on Attachment 17.

18. Number of pages attached: _____

DATE

JUDGE OF THE SUPERIOR COURT
☐ SIGNATURE FOLLOWS LAST ATTACHMENT

**ORDER ON REPORT OF PERSONAL REPRESENTATIVE; PETITION FOR FINAL DISTRIBUTION AND
FOR PAYMENT OF STATUTORY COMPENSATION AND EXTRAORDINARY COMPENSATION**