

#L-1040

ns29b
09/02/87

First Supplement to Memorandum 87-68

Subject: Study L-1040 - Public Guardian and Public Administrator
(Comments on Revised Provision)

Attached are comments of a State Bar special study team approving the proposed revision of the public guardian statute to require the court to consider alternatives before ordering appointment against the public guardian's wishes.

Respectfully submitted,

Nathaniel Sterling
Assistant Executive Secretary

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SEP 01 1987

August 31, 1987

Mr. John H. DeMouilly
Executive Director
California Law Revision Commission
4000 Middlefield Road, Room D-2
Palo Alto, CA 94303

Re: LRC Memo 87-68

Dear John:

I have enclosed copies of Special Study Team's technical report on Memo 86-68. The report represents the opinions of the team only. The report has not been reviewed by the Executive Committee. I am sending it to you for your information and comment. It is intended to assist in the technical review of those sections involved.

Very truly yours,

James V. Quillinan
Attorney at Law

JVQ/h1
Encls.

cc: Chuck Collier Jim Opel
 Keith Bilter Jim Devine
 Irv Goldring Lloyd Homer

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August 26, 1987

James V. Quillinan, Esq.
Diemer, Schneider, Luce & Quillinan
444 Castro Street, Suite 900
Mountain View, California 94041

Dear Mr. Quillinan:

Re: LRC Memo 87-68

The undersigned believes the Section could support proposed section 2920 as written in Memorandum 87-68. The only proposed amendment to section 2920 is that the court must consider alternatives before ordering the Public Guardian to handle an estate. As you are aware, the Section has always taken the position that the court should be able to order conservatorships into the Public Guardian's hands. The addition of the language that the court make it's order after ". . . consideration of the alternatives, . . ." is a small concession to give the public guardians who have steadfastly opposed this provision.

In the event you have any questions regarding these matters, do not hesitate to contact the undersigned at (619) 236-3651.

Very truly yours,

A handwritten signature in cursive script that reads "Leonard W. Pollard II".

LEONARD W. POLLARD II

LWP:sjj
cc: Chuck Collier
Jim Devine
Jim Opel
Irv Goldring