

#L-3051

rml87
10/30/91

First Supplement to Memorandum 91-66

Subject: Study L-608 - Transfer of Conservatorship Property to Trust
(Letter From LA County Bar)

Exhibit 1 is a letter from Lawrence Kalfayan for the Executive Committee of the Probate and Trust Section of the Los Angeles County Bar Association. The letter supports the *Recommendation* attached to the basic memo as drafted.

Respectfully submitted,

Robert J. Murphy III
Staff Counsel

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October 29, 1991

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**Law Revision Commission
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**File: _____
Key: _____**

**Via Facsimile Transmittal
(Original via surface mail)**

**Nathaniel Sterling, Esq.
Executive Secretary
California Law Revision Commission
4000 Middlefield Road, Suite D-2
Palo Alto, California 94303-4739**

**Re: Study L-3051 -- Transfer by conservator to trust
of unintentionally omitted property**

Dear Mr. Sterling:

The Executive Committee of the Probate and Trust Law Section of the Los Angeles County Bar Association has reviewed the tentative recommendation relating to study L-3051 relating to transfer by conservator to trust of unintentionally omitted property. As a member of the Executive Committee, I have been asked to convey to the commission their comments.

The proposed revision relates to situations in which property of a conservatee may be discovered at the conservatee's death that should have been included in the conservatee's trust but was inadvertently omitted. We agree that authority should be included in the substituted judgment provisions to permit the court to authorize or require the conservator to transfer to the trust later-discovered property that was unintentionally omitted from the trust.

Accordingly, we support the tentative recommendation relating to study L-3051 as proposed.

Very truly yours,

LEWIS, D'AMATO, BRISBOIS & BISGAARD

Lawrence J. Kalfayan
Lawrence J. Kalfayan

LJK:kw
cc: Executive Committee