

11/25/85

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Second Supplement to Memorandum 85-74

Subject: Study L-1032 - Probate Code (Small Estate Set Aside)

The Executive Committee of the Estate Planning, Trust and Probate Law Section makes the following comment concerning the staff draft of the small estate set-aside recommendation:

3. Memorandum 85-74. The Executive Committee concurs in the personal comments of Mr. Collier. All of Mr. Collier's problems and comments appear to be addressed in the First Supplement to Memorandum 85-74. The Executive Committee proposes that since the staff has proposed in Memorandum 85-103 that all of the other small estate set-aside type procedures go forward as a package now, include this small estate set-aside procedure in the Tentative Recommendation contemplated in Memorandum 85-103.

The staff agrees with the suggestion of the Executive Committee that the small estate provisions that the staff proposes be the subject of legislation in 1986 should include the small estate set-aside legislation proposed in Memorandum 85-74.

Respectfully submitted,

John H. DeMouilly
Executive Secretary