

Second Supplement to Memorandum 88-33

Subject: Study L-1036 - Attorney Fees in Probate (Written Contract
Between Public Administrator and His or Her Attorney)

Attached is a letter from James R. Scannell, Public Administrator and Public Guardian for the City and County of San Francisco. As a result of this letter, the staff recommends that a change be made in the recommended revision of Section 6148 of the Business and Professions Code (set out in the First Supplement to Memorandum 88-33).

Specifically, we suggest that paragraph (5) (staff suggested addition) of subdivision (d) of Section 6148 be revised to read:

6148.

(d) This section shall not apply to any of the following:

(5) Services provided to a public officer or employee by
an attorney who is a public officer or employee.

Respectfully submitted,

John H. DeMouilly
Executive Secretary

2nd Supp. to Memo 88-33
City and County of San Francisco



PUBLIC ADMINISTRATOR
PUBLIC GUARDIAN

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April 8, 1988

Study L-1036

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EX LAW REV. COMM'N

APR 14 1988

Re: First Supplement to 88-33
Study L-1036

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Dear Mr. DeMouilly:

I appreciate your adding public administrators to Section 6148. The use of the term "county counsel" would seem to limit the applications solely to counties that utilize the county counsel for Public Administrator work.

The term "and his attorney" that is used in summary probate sections would be more appropriate and less likely to cause problems for counties that use the District Attorney, City Attorney, or Public Administrator's Attorney.

Very truly yours,

A handwritten signature in dark ink, appearing to read "J. Scannell", written over a circular stamp or seal.
JAMES R. SCANNELL
Public Administrator/
Public Guardian/
Public Conservator

JRS:lca