

#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

# LEWIS, D'AMATO, BRISBOIS & BISGAARD

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

## LAWYERS

SUITE 1200

221 NORTH FIGUEROA STREET  
LOS ANGELES, CALIFORNIA 90012  
TELEPHONE (213) 250-1800

TELEX: 194509

## FACSIMILES:

LOS ANGELES: (213) 250-7900  
SAN DIEGO: (619) 233-8627  
SAN FRANCISCO: (415) 434-0882  
ORANGE COUNTY: (714) 880-1030  
PALM SPRINGS: (619) 322-2809

October 29, 1991

## SAN FRANCISCO OFFICE

SUITE 1800

501 CALIFORNIA STREET  
SAN FRANCISCO, CALIFORNIA 94108  
TELEPHONE (415) 362-2500

## PALM SPRINGS OFFICE

SUITE C

850 EAST TAHQUITTE WAY  
PALM SPRINGS, CALIFORNIA 92202  
TELEPHONE (619) 322-2401

## SAN DIEGO OFFICE

SUITE 800

550 WEST "C" STREET  
SAN DIEGO, CALIFORNIA 92101  
TELEPHONE (619) 233-1006

## ORANGE COUNTY OFFICE

SUITE 1400

660 TOWN CENTER DRIVE  
CENTER TOWER BUILDING  
COSTA MESA, CALIFORNIA 92626  
TELEPHONE (714) 848-8200

LAWRENCE J. KALFAYAN  
DIRECT DIAL (714) 860-8147

Law Revision Commission  
RECEIVED

OCT 29 1991

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:

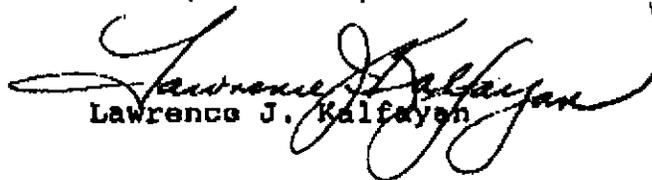
The Executive Committee of the Probate and Trust Law Section of the Los Angeles County Bar Association has reviewed the tentative recommendation relating to study L-3051 relating to transfer by conservator to trust of unintentionally omitted property. As a member of the Executive Committee, I have been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

LJK:kw  
cc: Executive Committee