

Study L-1030

January 5, 1996

Memorandum 96-6

**Collecting Small Estate Without Administration:
Comments on Tentative Recommendation**

The Tentative Recommendation on *Collecting Small Estate Without Administration* would codify case law that property in a trust revocable by the decedent during lifetime is excluded from the maximum estate value for use of summary procedures to collect decedent's property without court-supervised administration. We received one comment on the Tentative Recommendation, an oral comment by Jim Birnberg of the Estate Planning, Trust and Probate Law Section of the State Bar that it is "appropriate and useful."

The staff recommends the Commission approve the Tentative Recommendation as a final recommendation for submission to the Legislature.

Respectfully submitted,

Robert J. Murphy
Staff Counsel