

CALIFORNIA LAW REVISION COMMISSION

C/O UC DAVIS SCHOOL OF LAW  
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DAVIS, CA 95616



NEWS RELEASE  
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*For Immediate Release*

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## Disposition of Estate Without Administration

### Request for Public Comment

The California Law Revision Commission seeks public comment on its proposal to reform the laws governing liability for persons who receive property of a decedent under simplified procedures for the disposition of an estate without administration.

Many of these simplified procedures are only available if the value of the decedent's estate does not exceed a specified dollar amount. When a person receives property under these procedures, the statutes generally provide that the person is liable for the decedent's debts to the extent of the property's value plus, in some cases, interest.

The Commission has prepared two tentative recommendations on the Probate Code's provisions that govern the disposition of an estate without administration.

The first tentative recommendation relates to the dollar amounts used in determining eligibility for using the simplified procedures. In particular, the Commission recommends:

- Adjusting each dollar amount to reflect cost-of-living increases since the dollar amount was last adjusted.
- Implementing an automatic cost-of-living adjustment mechanism, providing for triennial adjustment and publication of the adjusted dollar amounts by the Judicial Council.

The second tentative recommendation relates to the interest imposed when computing liability under these provisions. In particular, the Commission recommends:

- Changing the interest rate from 10 percent to seven percent.
- Granting a court discretion to reduce the amount of interest in appropriate circumstances.

The tentative recommendations are available from the California Law Revision Commission, c/o UC Davis School of Law, 400 Mrak Hall Drive, Davis, CA 95616. The tentative recommendations are also available on the Commission's website ([www.clrc.ca.gov](http://www.clrc.ca.gov)) through the pull-down "Reports" menu.

The Commission often substantially revises its recommendations in response to public comment. To receive timely consideration, comments should be submitted to the Commission by **July 11, 2018**.

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