

JUDICIAL COUNCIL OF CALIFORNIA

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INVITATION TO COMMENT LEG16-09

Title

Probate: Electronic Service of Notices and Other Papers in Probate, Guardianship, Conservatorship, and Other Protective Proceedings

Proposed Rules, Forms, Standards, or Statutes

Enact Probate Code section 1266; amend Probate Code sections 366, 453, 1050, 1209, 1212–1215, 1217, 1220, 1250, 1252, 1265, 1460, 1461, 1461.4, 1461.5, 1511, 1513.2, 1516, 1542, 1822, 1826, 1827.5, 1830, 1842, 1847, 1851, 2214, 2250, 2352, 2357, 2361, 2610, 2611, 2612, 2614, 2683, 2684, 2700, 2702, 2804, 2808, 3088, 3131, 3206, 3602, 3704, 3801, 3918, 8100, 8110, 8111, 8469, 8522, 8803, 8903, 8906, 8924, 9052, 9153, 9732, 9762, 9783, 9787, 10585–10587, 11601, 13200, 13655, 15686, 16061.7–16061.9, 16336.6, 16501–16503, 17203–17205, 17403, 17454, 19011, 19024, 19040, 19052, 19150, 19153, 19323, 20122, and 20222; repeal Probate Code section 1216; amend Welfare and Institutions Code sections 728 and 5362

Proposed by

Probate and Mental Health Advisory
Committee

Hon. John H. Sugiyama, Chair

Information Technology Advisory Committee

Hon. Terence L. Bruiniers, Chair

Action Requested

Review and submit comments by June 14, 2016

Proposed Effective Date

January 1, 2018

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The proposals have not been approved by the Judicial Council and are not intended to represent the views of the council, its Rules and Projects Committee, or its Policy Coordination and Liaison Committee. These proposals are circulated for comment purposes only.

Executive Summary and Origin

The Probate and Mental Health Advisory Committee and the Information Technology Advisory Committee (ITAC) recommend amending the Probate Code to authorize the electronic service of notices and other papers in guardianship, conservatorship, and other probate matters. This legislative proposal would amend Probate Code section 1215 to allow for the electronic service of notices and other papers if the party or other person has consented to receiving service by electronic means and has provided an electronic service address. It would also amend various statutes throughout the Probate Code, and Welfare and Institutions Code sections 728 and 5362 to implement this proposal.

Background

ITAC is leading a multiyear effort to comprehensively review and modernize the statutes and rules so that they will be consistent with and foster modern e-business practices. To ensure that each title is revised in view of any statutory requirements and policy concerns unique to that area of law, ITAC is coordinating with other advisory committees, including the Probate and Mental Health Advisory Committee, with relevant subject-matter expertise.

This modernization effort is being carried out in two phases. Last year, the advisory committees completed phase I—an initial round of technical rule amendments to address language in the rules that was incompatible with current statutes and rules governing electronic filing and service and with e-business practices in general. This year, the committees are undertaking phase II—a more in-depth examination of statutes and rules that may hinder electronic filing, electronic service, and modern e-business practices.

The Judicial Council's advisory committees are circulating three legislative proposals on modernization for public comment during the spring 2016 cycle. In addition to the present proposal, the proposals would amend the Penal Code to authorize permissive electronic filing and service in criminal matters and would amend the Welfare and Institutions Code to allow for electronic service of notices and other papers by consent in juvenile dependency and delinquency matters.

The Proposal

This proposal would amend the Probate Code to authorize electronic service of notices and other papers if the party or other person consents to receive electronic service and provides an electronic service address.

Authorizing electronic service by consent

Currently, Probate Code section 1215 states that if a notice or other paper is required or permitted to be mailed to a person, the notice or other paper must be mailed as provided in section 1215 or personally delivered as provided in section 1216.

This proposal would amend section 1215 to recognize three means of service of notices and other papers: service by mail, personal service, and electronic service. This would be accomplished by adding the provisions on personal service in section 1216 to a new subdivision (b) in section 1215.¹ Section 1215's provisions on mail service would be placed under a new subdivision (a) and would be updated to recognize current terminology in use by the U.S. Postal Service. A new subdivision (c) would allow for electronic service of notices and other papers on a person under Code of Civil Procedure section 1010.6(a), but only if the person has filed written consent to receive electronic service and has provided an electronic service address. Incorporating Code of Civil Procedure section 1010.6(a) by reference in the proposed new subdivision (c) of Probate Code section 1215 would provide for consistency in the implementation of electronic service across case types.

In addition, the committees concluded that consent was necessary before a notice or other paper could be electronically served on a person under Probate Code section 1215 because of the variety of persons entitled to be served with notices and other papers in the administration of a decedent's estate or trust and in conservatorship, guardianship, and other protective proceedings. These individuals differ from parties in general civil matters because they need not ever intervene or otherwise become actively involved in the proceeding or administration of the estate or trust.²

This proposal would also amend section 1265 and add a new section 1266. Section 1265 would provide that proof of electronic service may be made in the manner provided in Code of Civil Procedure section 1013b. In another legislative proposal circulating this spring, the ITAC and the Civil and Small Claims Advisory Committee have proposed adding a new section 1013b to the Code of Civil Procedure to codify rule 2.251(i) of the California Rules of Court, the trial court rule on proof of electronic service. The present proposal would also add a new Probate Code section 1266 that would contain section 1265's current language.

Designating which notices and other papers may be electronically served

This proposal would authorize electronic service where the Probate Code currently allows for service by mail and personal delivery. Where the Probate Code allows for service only by personal delivery, the statute would remain unaltered; it would still require that these notices and other papers be personally delivered. To implement electronic service of notices and other papers under section 1215, this proposal would amend various statutes throughout the Probate Code by replacing the terms "mail" and "personal delivery" with references to "service pursuant to Section 1215." Welfare and Institutions Code sections 728 and 5362 would be similarly amended.

¹ Because Probate Code section 1216 would fully be incorporated into section 1215, this proposal would strike section 1216 in its entirety.

² Although Probate Code section 1215 would not apply to the service of documents in contested probate matters, the provisions authorizing electronic filing and service in Code of Civil Procedure section 1010.6 and its implementing rules would govern. (See Prob. Code, § 1000 [stating that the provisions in the Code of Civil Procedure apply to the Probate Code].)

The following types of notices and other papers could be electronically served if the person or entity to be served has consented to receive electronic service:

General provisions

- Notices of hearing under the Fiduciaries' Wartime Substitution Law (Prob. Code, § 366)
- Notices of hearing on petition for a protective order before a probate referee (Prob. Code, § 453(a))
- Notices provided to the Attorney General where notice to the State of California is required (Prob. Code, § 1209)
- Notices of hearing served on a surety who has filed a court bond in a proceeding (Prob. Code, § 1213)
- Requests for special notice and notices, petitions, reports, accounts, inventories, appraisals, and other papers served pursuant to a request for special notice (Prob. Code, §§ 1250, 1252)

Probate administration of decedent estates and trusts

- Notices of hearing on petition for administration of a decedent's estate (Prob. Code, § 8110)
- Notices of hearing on petition for administration of an estate involving a testamentary trust of property for charitable purposes, copies of petition, and copies of will to the Attorney General (Prob. Code, § 8111)
- Notices of hearing on petition for appointment as administrator requesting priority (Prob. Code, § 8469)
- Notices of appointment of a successor personal representative (Prob. Code, § 8522);
- Copies of initial or supplemental inventories and appraisals on persons requesting special notice (Prob. Code, § 8803)
- Notices of hearing on petition for waiver of appraisal by a probate referee and copies of petition and proposed inventory and appraisal (Prob. Code, § 8903)
- Notices of hearing on written objection to the appraisal and copies of written objection (Prob. Code, § 8906)
- Notices of hearing on petition to remove the designated probate referee and copies of the personal representative's affidavit (Prob. Code, § 8924)
- Notices of hearing on petition to invest money of the estate in possession of the personal representative and copies of petition (Prob. Code, § 9732)
- Notices of hearing on petition for personal representative's participation as a general or limited partner in partnership in which decedent was a general partner and copies of petition (Prob. Code, § 9762)
- Written objections to disposition or abandonment of tangible personal property (Prob. Code, §§ 9783, 9787)
- Notices of proposed action without court supervision and written objections to proposed action (Prob. Code, §§ 10586, 10587)

- Notices of hearing on petition for preliminary or final distribution of decedent's estate (Prob. Code, § 11601)
- Copies of affidavits and attachments for claims to real property of small value (Prob. Code, § 13200)
- Notices of hearing on petition to request that administration of all or part of the estate is not necessary (Prob. Code, § 13655)
- Notifications served by the trustee on the beneficiaries of the trust (Prob. Code, §§ 16061.7–16061.9)
- Written objections to notice of the trustee's intention to reconvert the trust from a unitrust (Prob. Code, § 16336.6)
- Notices of new payout percentage of a unitrust by trustee (Prob. Code, § 16336.6)
- Notices of proposed action by trustee and written objections to proposed action (Prob. Code, §§ 16501–16503)
- Notices of hearing on petition concerning internal affairs or existence of trust (Prob. Code, § 17203)
- Notices of hearing on petition for approval and settlement of claims against deceased settlor (Prob. Code, § 19024);
- Copies of requests for special notice of filing of petitions in pending proceedings involving a trust (Prob. Code, § 17204)
- Copies of petition for trust proceedings (Prob. Code, § 17205)
- Notices of hearing on petition to transfer trust to and from another jurisdiction (Prob. Code, §§ 17403, 17454)
- Claims filed by creditors (Prob. Code, § 19150)
- Notices of hearing on petition to allocate debts between trust and surviving spouse and copies of petition (Prob. Code, § 19323)
- Notices of hearing on petition for proration of estate taxes or generation-skipping transfer tax and copies of petition (Prob. Code, §§ 20122, 20222)

Guardianship proceedings

- Notices of hearing in guardianship, conservatorship, and other protective proceedings (Prob. Code, § 1460)
- Notices of hearing and copies of petition, report, or account to the Director of State Hospitals and Director of Developmental Services (Prob. Code, § 1461)
- Notices of hearing and copies of petition served on directors of regional centers for the developmentally disabled (Prob. Code, § 1461.4)
- Notices of hearing, notices of the filing of an inventory, and copies of the underlying petition, report, inventory, or account to the Veterans Administration (Prob. Code, § 1461.5)
- Notices of hearings on the petition for the appointment of a guardian and copies of petition to the spouse and relatives named in the petition, the person having care of the proposed ward, the Director State Hospitals, the Director of Developmental Services, the Director of Social Services, and the Veterans Administration (Prob. Code, § 1511)

- Notices informing guardians of their responsibility to complete annual status reports (Prob. Code, § 1513.2)
- Notices of hearing and copies of petition for guardianship to the Director of Social Services and to the local agency designated to investigate guardianships for the court (Prob. Code, §§ 1516, 1542)
- Notice of a juvenile court's decision to terminate or modify a guardianship previously established under the Probate Code (Welf. & Inst. Code, § 728.)

Conservatorship proceedings

- Notices of hearing on petition for appointment of a conservator and copies of petition (Prob. Code, § 1822)
- Copies of the report prepared by the court investigator (Prob. Code, § 1826)
- Copies of the report prepared by the regional center in limited conservatorship proceedings for persons with developmental disabilities (Prob. Code, § 1827.5)
- Orders appointing conservators and information notices of the rights of conservatees (Prob. Code, § 1830)
- Notices of hearing and copies of petition to secretary or head of the U.S. department or agency concerned if the proposed conservatee is an absentee (Prob. Code, § 1842)
- Notices of hearing and copies of petition for appointment of a conservator to the proposed conservatee (Prob. Code, § 1847)
- Findings of the court investigator on periodic review of conservatorship (Prob. Code, § 1851)
- Notices of hearing on petition for appointment of a conservator (Prob. Code, § 2250)
- Notices of a conservatee's death (Prob. Code, § 2357)
- Notices of hearing on petition for appointment of a successor conservator and copies of petition (Prob. Code, § 2683)
- Reports of court investigators on appointment of a successor conservators (Prob. Code, § 2684)
- Notices of hearing on petition to modify or vacate an order requiring application of the income or principal of community property to the support and maintenance of the conservatee and copies of petition (Prob. Code, § 3088)
- Notices of hearing on petition for authorization of a transaction involving community property where a spouse lacks legal capacity and copies of petition (Prob. Code, § 3131)
- Notices of hearing on petition for capacity determinations and health care decisions for adults without a conservator and copies of petition (Prob. Code, § 3206)
- Notifications of automatic termination of one-year appointment for conservators for gravely disabled persons and decrees terminating conservatorship (Welf. & Inst. Code, § 5362)

Both guardianship and conservatorship proceedings

- Notices of hearing on petition for transfer and copies of petition (Prob. Code, § 2214)

- Notices of hearing on petition for temporary appointment and copies of petition (Prob. Code, § 2250)
- Notices of change of residence of the guardian or conservator (Prob. Code, § 2352)
- Notices of intention to change the residence of the ward or conservatee (Prob. Code, § 2352)
- Notices of hearing on petition to authorize medical treatment and copies of petition to spouse or domestic partner of conservatee and relatives named in the petition (Prob. Code, § 2357)
- Copies of inventories and appraisals of the estate and notices of how to file an objection (Prob. Code, §§ 2610, 2611, 2612)
- Notices of hearing on written objections to an appraisal made by a probate referee and copies of objections (Prob. Code, § 2614)
- Requests for special notice in guardianship and conservatorship proceedings (Prob. Code, § 2700)
- Notices of hearing, petitions, accounts, inventories or appraisals of estates, or other papers served pursuant to a request for special notice (Prob. Code, § 2702)
- Notices of hearing on petition to transfer personal property out of state and copies of petition (Prob. Code, § 2804)
- Notices of hearing on petition for discharge after transfer of all property of the estate to the foreign guardian or conservator, copies of the final account of the guardian or conservator, and copies of petition (Prob. Code, § 2808)

Other protective proceedings

- Notices of hearing on petition to order that balance of estate be placed in a special needs trust and copies of petition (Prob. Code, § 3602)
- Notices of hearing on petition to set aside the personal property of absent federal personnel (Prob. Code, § 3704)
- Petitions for removal of property of a nonresident (Prob. Code, § 3801)
- Notices of hearing on petition to designate a minor’s successor custodian (Prob. Code, § 3918)

Additional technical amendments to implement electronic service

This proposal would also make various technical amendments to the Probate Code by replacing references to mail and personal delivery to provide for service, including electronic service, under section 1215:

- Amend Probate Code section 1050 to recognize that the judgment roll in a proceeding under the Probate Code consists of, inter alia, affidavits showing “service pursuant to Section 1215” of any notice of hearing or order to show cause;
- Amend Probate Code section 1212 to recognize that notice shall be given in the manner provided in Code of Civil Procedure 413.30 if the address of a person to whom a notice or other paper is required to be “served pursuant to Section 1215” is unknown;

- Amend Probate Code section 1214 to recognize that if a notice or other paper is required or permitted to be served “pursuant to Section 1215” on a represented person, the notice or other paper must also be served on the attorney;
- Amend Probate Code section 1217 to recognize that if a notice or other paper is required to be served or otherwise given, but the means of service is not specified in the statute, the notice or other paper shall be “served pursuant to Section 1215”;
- Amend Probate Code sections 8100, 9052, 9153, 19011, 19040, 19052, 19153 to notify creditors in specified notices and Judicial Council claim forms that they may “serve pursuant to Section 1215” copies of their claims; and
- Amend Probate Code section 10585 to require that the notice of a proposed action contain the e-mail addresses of the personal representative and other persons to contact.

Alternatives Considered

The committees considered amending section 1215 to provide for “electronic delivery” instead of “electronic service” under Code of Civil Procedure section 1010.6(a). The committees decided against pursuing this option to provide for consistency across statutes and case types.

Implementation Requirements, Costs, and Operational Impacts

This proposal is not expected to require implementation or result in any costs for the courts because most of these notices and other papers are not served by the courts. Electronic service of these notices and other papers would require access to the appropriate technology, but would also provide for efficiencies and cost savings. Because electronic service is authorized only by consent, it would be left up to the individual entitled to receive notice or other paper to determine whether any costs outweigh the benefits.

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?

Attachments and Links

1. Proposed amendments to the Probate Code, at pages 9–39
2. Proposed amendments to the Welfare and Institutions Code, at page 40

Section 1266 of the Probate Code would be enacted, sections 366, 453, 1050, 1209, 1212–1215, 1217, 1220, 1250, 1252, 1265, 1460, 1461, 1461.4, 1461.5, 1511, 1513.2, 1516, 1542, 1822, 1826, 1827.5, 1830, 1842, 1847, 1851, 2214, 2250, 2352, 2357, 2361, 2610, 2611, 2612, 2614, 2683, 2684, 2700, 2702, 2804, 2808, 3088, 3131, 3206, 3602, 3704, 3801, 3918, 8100, 8110, 8111, 8469, 8522, 8803, 8903, 8906, 8924, 9052, 9153, 9732, 9762, 9783, 9787, 10585–10587, 11601, 13200, 13655, 15686, 16061.7–16061.9, 16336.6, 16501–16503, 17203–17205, 17403, 17454, 19011, 19024, 19040, 19052, 19150, 19153, 19323, 20122, and 20222 would be amended, and section 1216 would be repealed, effective January 1, 2018, to read:

1 **§ 366.**

2
3 Notice of a hearing under this part shall be ~~mailed~~ served pursuant to Section 1215 at least 15
4 days before the hearing ~~to~~ on each fiduciary and consultant and ~~to~~ on the following persons:

5
6 (a) In the case of a trust, ~~to~~ on each known beneficiary, subject to the provisions of Chapter 2
7 (commencing with Section 15800) of Part 3 of Division 9.

8
9 (b) In the case of a decedent’s estate, as provided in Section 1220 ~~to~~ on both of the following:

10
11 (1)–(2) * * *

12
13 (c) * * *

14
15 (d) In other cases, ~~to~~ on any additional interested persons required by the court to receive notice.

16
17 **§ 453.**

18
19 (a) On petition of a person required to appear before the probate referee pursuant to this chapter,
20 the court may make a protective order to protect the person from annoyance, embarrassment, or
21 oppression. The petitioner shall ~~mail~~ serve pursuant to Section 1215 notice of the hearing on the
22 petition ~~to~~ on the probate referee and ~~to~~ on the personal representative, guardian, conservator, or
23 other fiduciary at least 15 days before the date set for the hearing. Any subpoena issued by the
24 probate referee is stayed during the pendency of the petition.

25
26 (b) On petition of the probate referee, the court may make an order to show cause why a person
27 who is required, but fails, to appear before the probate referee pursuant to this chapter, should
28 not be compelled to do so. The probate referee shall ~~mail~~ serve pursuant to Section 1215 notice
29 of the hearing on the petition ~~to~~ on the person at least 15 days before the date set for the hearing.

30
31 **§ 1050.**

32
33 The judgment roll in a proceeding under this code consists of the following papers, where
34 applicable:

35
36 (a) In all cases:

1 (1)–(2) * * *

2
3 (3) Any notice of the hearing, and any order to show cause made in the proceeding, with the
4 affidavits showing publication, posting, ~~or mailing, or personal delivery~~ service pursuant to
5 Section 1215 of the notice or order as may be required by law or court order.

6
7 (4)–(7) * * *

8
9 (b)–(e) * * *

10
11 **§ 1209.**

12
13 (a) * * *

14
15 (b) Where notice is required to be given to the Attorney General, the notice shall be ~~mailed to~~
16 served pursuant to Section 1215 on the Attorney General at the office of the Attorney General at
17 Sacramento, California.

18
19 **§ 1212.**

20
21 Unless the court dispenses with the notice, if the address of the person to whom a notice or other
22 paper is required to be ~~mailed or delivered~~ served pursuant to Section 1215 is not known, notice
23 shall be given as the court may require in the manner provided in Section 413.30 of the Code of
24 Civil Procedure.

25
26 **§ 1213.**

27
28 (a) The following persons shall ~~mail~~ serve pursuant to Section 1215 a notice, as described in
29 Section 1211, ~~to~~ on a surety who has filed a court bond in a proceeding:

30
31 (1)–(4) * * *

32
33 (b) Within five days after entry of an order to suspend or remove a guardian, conservator, or
34 personal representative, the person who filed a petition to suspend or remove a guardian or, if the
35 order to suspend or remove a guardian, conservator, or personal representative was issued upon a
36 motion by the court, the court, shall notify the surety who has filed a court bond of the order ~~by~~
37 first-class mail, postage prepaid.

38
39 (c) The notice required by this section shall be ~~mailed to~~ served on the addressee listed on the
40 surety bond.

41
42 (d) * * *

1 § 1214.

2
3 If a notice or other paper is required or permitted to be ~~mailed, delivered,~~ served pursuant to
4 Section 1215 on, or otherwise given to a person who is represented by an attorney of record, the
5 notice or other paper shall also be ~~mailed to~~ served on this attorney, unless otherwise specified in
6 a request for special notice.

7
8 § 1215.

9
10 Unless otherwise expressly provided, ~~a notice or other paper that is required or permitted to be~~
11 served on a person shall be served by mail as provided in subdivision (a), personally served as
12 provided in subdivision (b), or electronically served as provided in subdivision (c) of this section.

13
14 ~~(a) Mail service If a notice or other paper is required or permitted to be mailed to a person, the~~
15 ~~notice or other paper shall be mailed as provided in this section or personally delivered as~~
16 ~~provided in Section 1216.~~

17
18 ~~(b)(1) The A~~ notice or other paper shall ~~may~~ be ~~sent~~ served by mail as follows:

19
20 ~~(1)(A) First-class~~ By regular mail if the person's address is within the United States. ~~First-class~~
21 Regular mail includes first-class, priority, certified, registered, and express mail.

22
23 ~~(2)(B) Airmail~~ By international mail if the person's address is not within the United States.
24 International mail includes first-class international, priority mail international, priority mail
25 express international, and global express guaranteed.

26
27 ~~(e)(2)~~ The notice or other paper shall be deposited for collection in the United States mail, in a
28 sealed envelope, with postage paid, addressed to the person to whom it is mailed.

29
30 ~~(d)(3)~~ Subject to Section 1212, the notice or other paper shall be addressed to the person at the
31 person's place of business or place of residence.

32
33 ~~(e)(4)~~ When the notice or other paper is deposited in the mail, mailing is complete and the period
34 of notice is not extended.

35
36 (b) Personal service

37
38 (1) A notice or other paper may be personally served on a person.

39
40 (2) Personal service is complete when the notice or other paper is personally served on the
41 person who is to receive it.

42
43 (c) Electronic service

1
2 (1) A notice or other paper may be electronically served on a person under subdivision (a) of
3 Section 1010.6 of the Code of Civil Procedure if the person has filed written consent to receive
4 electronic service and provided an electronic service address.

5
6 (2) Electronic service is complete when the notice or other paper is sent.

7
8 **§ 1216. [Section deleted.]**

9
10 ~~(a) If a notice or other paper is required or permitted to be mailed to a person, it may be delivered~~
11 ~~personally to that person. Personal delivery as provided in this section satisfies a provision~~
12 ~~that requires or permits a notice or other paper to be mailed.~~

13
14
15 ~~(b) Personal delivery pursuant to this section is complete when the notice or other paper is~~
16 ~~delivered personally to the person who is to receive it.~~

17
18 **§ 1217.**

19
20 If a notice or other paper is required to be served or otherwise given and no other manner of
21 giving the notice or other paper is specified by statute, the notice or other paper shall be ~~mailed~~
22 ~~or personally delivered as provided in this chapter~~ served pursuant to Section 1215.

23
24 **§ 1220.**

25
26 (a) When notice of hearing is required to be given or served as provided in this section:

27
28 (1) At least 15 days before the time set for the hearing, the petitioner or the person filing the
29 report, account, or other paper shall cause notice of the time and place of the hearing to be
30 ~~mailed to~~ served pursuant to Section 1215 on the persons required to be given notice.

31
32 (2) Unless the statute requiring notice specifies the persons to be given notice, notice shall be
33 ~~mailed to~~ served pursuant to Section 1215 on all of the following:

34
35 (A)–(B) * * *

36
37 (3) Subject to Section 1212, the notice shall be ~~addressed to~~ served pursuant to Section 1215 on
38 the person required to be given notice at the person's place of business, ~~or~~ place of residence, or
39 electronic service address.

40
41 (b)–(c) * * *

1 **§ 1250.**

2
3 (a) * * *

4
5 (b) The request for special notice shall be so entitled and shall set forth the name of the person
6 and the address to which notices shall be ~~sent~~ served pursuant to Section 1215.

7
8 (c)–(d) * * *

9
10 (e) A copy of the request shall be ~~personally delivered or mailed to~~ served pursuant to Section
11 1215 on the personal representative or ~~to~~ on the attorney for the personal representative. If
12 personally ~~delivered~~ served, the request is effective when it is delivered. If mailed or
13 electronically served, the request is effective when it is received.

14
15 (f) * * *

16
17 **§ 1252.**

18
19 (a) Unless the court makes an order dispensing with the notice, if a request has been made
20 pursuant to Section 1250 for special notice of a hearing, the person filing the petition, report,
21 account, or other paper shall give written notice of the filing, together with a copy of the petition,
22 report, account, or other paper, and the time and place set for the hearing, by ~~mail to~~ service
23 pursuant to Section 1215 on the person named in the request at the address set forth in the
24 request, at least 15 days before the time set for the hearing.

25
26 (b) If a request has been made pursuant to Section 1250 for special notice of the filing of an
27 inventory and appraisal of the estate or of the filing of any other paper that does not require a
28 hearing, the inventory and appraisal or other paper shall be ~~mailed~~ served pursuant to Section
29 1215 not later than 15 days after the inventory and appraisal or other paper is filed with the court.

30
31 **§ 1265.**

32
33 ~~Proof of notice, however given, may be made by evidence presented at the hearing. Proof of~~
34 electronic service may be made in the manner prescribed in Section 1013b of the Code of Civil
35 Procedure.

36
37 **§ 1266.1265.**

38
39 ~~Proof of notice, however given, may be made by evidence presented at the hearing.~~

40
41 **§ 1460.**

42
43 (a) * * *

1
2 (b) Subject to subdivision (e), the petitioner, who includes for the purposes of this section a
3 person filing a petition, report, or account, shall cause the notice of hearing to be ~~mailed to~~
4 served pursuant to Section 1215 on each of the following persons:

5
6 (1)–(6) * * *

7
8 (c)–(e) * * *

9
10 **§ 1461.**

11
12 (a) * * *

13
14 (b) Notice of the time and place of hearing on the petition, report, or account, and a copy of the
15 petition, report, or account, shall be ~~mailed to~~ served pursuant to Section 1215 on the director at
16 the director’s office in Sacramento at least 15 days before the hearing if both of the following
17 conditions exist:

18
19 (1)–(2) * * *

20
21 (c)–(d) * * *

22
23 **§ 1461.4.**

24
25 (a) The petitioner shall ~~mail or personally~~ serve pursuant to Section 1215 a notice of the hearing
26 and a copy of the petition ~~to~~ on the director of the regional center for the developmentally
27 disabled at least 30 days before the day of the hearing on a petition for appointment in any case
28 in which all of the following conditions exist:

29
30 (1)–(4) * * *

31
32 (b) * * *

33
34 **§ 1461.5.**

35
36 Notice of the time and place of hearing on a petition, report, or account, and a notice of the filing
37 of an inventory, together with a copy of the petition, report, inventory, or account, shall be
38 ~~mailed to~~ served pursuant to Section 1215 on the office of the Veterans Administration having
39 jurisdiction over the area in which the court is located at least 15 days before the hearing, or
40 within 15 days after the inventory is filed, if both of the following conditions exist:

41
42 (a)–(b) * * *

43

1 **§ 1511.**

2
3 (a)–(b) * * *

4
5 (c) Notice shall be ~~given by mail sent to~~ served pursuant to Section 1215 on their addresses
6 stated in the petition, or in any manner authorized by the court, ~~to~~ on all of the following:

7
8 (1)–(3) * * *

9
10 (d) If notice is required by Section 1461 or Section 1542 to be given to the Director of State
11 Hospitals or the Director of Developmental Services or the Director of Social Services, notice
12 shall be ~~mailed~~ served pursuant to Section 1215 as so required.

13
14 (e) If the petition states that the proposed ward is receiving or is entitled to receive benefits from
15 the Veterans Administration, notice shall be ~~mailed to~~ served pursuant to Section 1215 on the
16 office of the Veterans Administration referred to in Section 1461.5.

17
18 (f)–(i) * * *

19
20 **§ 1513.2.**

21
22 (a) To the extent resources are available, the court shall implement procedures, as described in
23 this section, to ensure that every guardian annually completes and returns to the court a status
24 report, including the statement described in subdivision (b). A guardian who willfully submits
25 any material information required by the form which he or she knows to be false shall be guilty
26 of a misdemeanor. Not later than one month prior to the date the status report is required to be
27 returned, the clerk of the court shall ~~mail to~~ serve pursuant to Section 1215 on the guardian ~~by~~
28 ~~first-class mail~~ a notice informing the guardian that he or she is required to complete and return
29 the status report to the court. The clerk shall enclose or attach with the letter a blank status report
30 form for the guardian to complete and return ~~by mail~~. If the status report is not completed and
31 returned as required, or if the court finds, after a status report has been completed and returned,
32 that further information is needed, the court shall attempt to obtain the information required in
33 the report from the guardian or other sources. If the court is unable to obtain this information
34 within 30 days after the date the status report is due, the court shall either order the guardian to
35 make himself or herself available to the investigator for purposes of investigation of the
36 guardianship, or to show cause why the guardian should not be removed.

37
38 (b) The Judicial Council shall develop a form for the status report. The form shall include the
39 following statement: “A guardian who willfully submits any material information required by
40 this form which he or she knows to be false is guilty of a misdemeanor.” The form shall request
41 information the Judicial Council deems necessary to determine the status of the guardianship,
42 including, but not limited to, the following:

1 (1) The guardian’s present address and electronic address.

2

3 (2)–(5) * * *

4

5 (c)–(d) * * *

6

7 **§ 1516.**

8

9 (a) In each case involving a petition for guardianship of the person, the petitioner shall ~~mail~~ serve
10 pursuant to Section 1215 a notice of the hearing and a copy of the petition, at least 15 days prior
11 to the hearing, ~~to~~ on the local agency designated by the board of supervisors to investigate
12 guardianships for the court. The local social services agency providing child protection services
13 shall screen the name of the guardian for prior referrals of neglect or abuse of minors. The results
14 of this screening shall be provided to the court.

15

16 (b) * * *

17

18 **§ 1542.**

19

20 In each case involving a petition for guardianship of the person, the petitioner shall ~~mail~~ serve
21 pursuant to Section 1215 a notice of the hearing and a copy of the petition, at least 15 days prior
22 to the hearing, ~~to~~ on the Director of Social Services at the director’s office in Sacramento and ~~to~~
23 on the local agency designated by the board of supervisors to investigate guardianships for the
24 court.

25

26 **§ 1822.**

27

28 (a) * * *

29

30 (b) Notice shall be ~~mailed to~~ served pursuant to Section 1215 on the following persons:

31

32 (1)–(2) * * *

33

34 (c) If notice is required by Section 1461 to be given to the Director of State Hospitals or the
35 Director of Developmental Services, notice shall be ~~mailed~~ served pursuant to Section 1215 as so
36 required.

37

38 (d) If the petition states that the proposed conservatee is receiving or is entitled to receive
39 benefits from the Veterans Administration, notice shall be ~~mailed to~~ served pursuant to Section
40 1215 on the Office of the Veterans Administration referred to in Section 1461.5.

41

42 (e) If the proposed conservatee is a person with developmental disabilities, at least 30 days
43 before the day of the hearing on the petition, the petitioner shall ~~mail~~ serve pursuant to Section

1 1215 a notice of the hearing and a copy of the petition ~~to~~ on the regional center identified in
2 Section 1827.5.

3
4 (f) If the petition states that the petitioner and the proposed conservator have no prior
5 relationship with the proposed conservatee and are not nominated by a family member, friend, or
6 other person with a relationship to the proposed conservatee, notice shall be ~~mailed to~~ served
7 pursuant to Section 1215 on the public guardian of the county in which the petition is filed.
8

9 **§ 1826.**

10
11 (a) Regardless of whether the proposed conservatee attends the hearing, the court investigator
12 shall do all of the following:

13
14 (1)–(11) * * *

15
16 (12) ~~Mail~~ Serve pursuant to Section 1215, at least five days before the hearing, a copy of the
17 report referred to in paragraph (11) ~~to~~ on all of the following:

18
19 (A)–(C) * * *

20
21 (D) The spouse, registered domestic partner, and relatives within the first degree of the proposed
22 conservatee who are required to be named in the petition for appointment of the conservator,
23 unless the court determines that the ~~mailing~~ service will harm the conservatee.

24
25 (E) * * *

26
27 (b)–(h) * * *

28
29 **§ 1827.5.**

30
31 (a)–(c) * * *

32
33 (d) At least five days before the hearing on the petition, the regional center shall ~~mail~~ serve
34 pursuant to Section 1215 a copy of the report referred to in subdivision (a) ~~to~~ on all of the
35 following:

36
37 (1)–(4) * * *

38
39 (e) * * *

40
41 **§ 1830.**

42
43 (a)–(b) * * *

1
2 (c) An information notice of the rights of conservatees shall be attached to the order. The
3 conservator shall ~~mail~~ serve pursuant to Section 1215 the order and the attached information
4 notice ~~to~~ on the conservatee and the conservatee's relatives, as set forth in subdivision (b) of
5 Section 1821, within 30 days of the issuance of the order. By January 1, 2008, the Judicial
6 Council shall develop the notice required by this subdivision.

7
8 **§ 1842.**

9
10 In addition to the persons and entities to whom notice of hearing is required under Section 1822
11 or 2002, if the proposed conservatee is an absentee, a copy of the petition and notice of the time
12 and place of the hearing shall be ~~mailed~~ served pursuant to Section 1215 at least 15 days before
13 the hearing ~~to~~ on the secretary concerned or to the head of the United States department or
14 agency concerned, as the case may be. In such case, notice shall also be published pursuant to
15 Section 6061 of the Government Code in a newspaper of general circulation in the county in
16 which the hearing will be held.

17
18 **§ 1847.**

19
20 In addition to the persons and entities to whom notice of hearing is required under Section 1822
21 or 2002, if the proposed conservatee is a person who is missing and whose whereabouts is
22 unknown:

23
24 (a) A copy of the petition for appointment of a conservator and notice of the time and place of
25 the hearing on the petition shall be ~~mailed~~ served pursuant to Section 1215 at least 15 days
26 before the hearing ~~to~~ on the proposed conservatee at the last known address of the proposed
27 conservatee.

28
29 (b)-(c) * * *

30
31 **§ 1851.**

32
33 (a) * * *

34
35 (b)(1) The findings of the court investigator, including the facts upon which the findings are
36 based, shall be certified in writing to the court not less than 15 days before the date of review. A
37 copy of the report shall be ~~mailed to~~ served pursuant to Section 1215 on the conservator and ~~to~~
38 on the attorneys of record for the conservator and conservatee at the same time it is certified to
39 the court. A copy of the report, modified as set forth in paragraph (2), also shall be ~~mailed to~~
40 served pursuant to Section 1215 on the conservatee's spouse or registered domestic partner, the
41 conservatee's relatives in the first degree, and if there are no such relatives, ~~to~~ on the next closest
42 relative, unless the court determines that the ~~mailing~~ service will harm the conservatee.

1 (2) * * *

2

3 (c)-(f) * * *

4

5 **§ 2214.**

6

7 Notice of the hearing shall be given for the period and in the manner provided in Chapter 3
8 (commencing with Section 1460) of Part 1. In addition, the petitioner shall ~~mail~~ serve pursuant to
9 Section 1215 a notice of the time and place of the hearing and a copy of the petition ~~to~~ on all
10 persons required to be listed in the petition at least 15 days before the date set for the hearing.

11

12 **§ 2250.**

13

14 (a)-(d) * * *

15

16 (e) Unless the court for good cause otherwise orders, at least five court days before the hearing
17 on the petition, notice of the hearing shall be given as follows:

18

19 (1) * * *

20

21 (2) Notice of the hearing shall be personally delivered to the proposed conservatee, and notice of
22 the hearing shall be served pursuant to Section 1215 on the persons required to be named in the
23 petition for appointment of conservator. If the petition states that the petitioner and the proposed
24 conservator have no prior relationship with the proposed conservatee and has not been
25 nominated by a family member, friend, or other person with a relationship to the proposed
26 conservatee, notice of hearing shall be served pursuant to Section 1215 on the public guardian of
27 the county in which the petition is filed.

28

29 (3) A copy of the petition for temporary appointment shall be served pursuant to Section 1215
30 with the notice of hearing.

31

32 (f)-(l) * * *

33

34 **§ 2352.**

35

36 (a)-(d) * * *

37

38 (e)(1) * * *

39

40 (2) The guardian or conservator shall ~~mail~~ serve pursuant to section 1215 a copy of the notice ~~to~~
41 on all persons entitled to notice under subdivision (b) of Section 1511 or subdivision (b) of
42 Section 1822 and shall file proof of service of the notice with the court. The court may, for good

1 cause, waive the ~~mailing~~ service requirement pursuant to this paragraph in order to prevent harm
2 to the conservatee or ward.

3
4 (3) If the guardian or conservator proposes to remove the ward or conservatee from his or her
5 personal residence, except as provided by subdivision (c), the guardian or conservator shall ~~mail~~
6 serve pursuant to section 1215 a notice of his or her intention to change the residence of the ward
7 or conservatee ~~to~~ on all persons entitled to notice under subdivision (b) of Section 1511 and
8 subdivision (b) of Section 1822. In the absence of an emergency, that notice shall be ~~mailed~~
9 served at least 15 days before the proposed removal of the ward or conservatee from his or her
10 personal residence. If the notice is served less than 15 days prior to the proposed removal of the
11 ward or conservatee, the guardian or conservator shall set forth the basis for the emergency in the
12 notice. The guardian or conservator shall file proof of service of that notice with the court.

13
14 (f)–(h) * * *

15
16 **§ 2357.**

17
18 (a)–(d) * * *

19
20 (e) Notice of the petition shall be given as follows:

21
22 (1) * * *

23
24 (2) Not less than 15 days before the hearing, notice of the time and place of the hearing, and a
25 copy of the petition shall be ~~mailed to~~ served pursuant to Section 1215 on the following persons:

26
27 (A)–(B) * * *

28
29 (f)–(i) * * *

30
31 **§ 2361.**

32
33 A conservator shall provide notice of a conservatee’s death by ~~mailing~~ serving a copy of the
34 notice ~~to~~ pursuant to Section 1215 on all persons entitled to notice under Section 1460 and by
35 filing a proof of service with the court, unless otherwise ordered by the court.

36
37 **§ 2610.**

38
39 (a) Within 90 days after appointment, or within any further time as the court for reasonable cause
40 upon ex parte petition of the guardian or conservator may allow, the guardian or conservator
41 shall file with the clerk of the court and ~~mail to~~ serve pursuant to Section 1215 on the
42 conservatee and ~~to~~ on the attorneys of record for the ward or conservatee, along with notice of
43 how to file an objection, an inventory and appraisal of the estate, made as of the date of the

1 appointment of the guardian or conservator. A copy of this inventory and appraisal, along with
2 notice of how to file an objection, also shall be ~~mailed to~~ served on the conservatee's spouse or
3 registered domestic partner, the conservatee's relatives in the first degree, and, if there are no
4 such relatives, ~~to~~ on the next closest relative, unless the court determines that the mailing will
5 result in harm to the conservatee.

6
7 (b)-(e) * * *

8
9 **§ 2611.**

10
11 If the ward or conservatee is or has been during the guardianship or conservatorship a patient in a
12 state hospital under the jurisdiction of the State Department of State Hospitals or the State
13 Department of Developmental Services, the guardian or conservator shall ~~mail~~ serve pursuant to
14 Section 1215 a copy of the inventory and appraisal filed under Section 2610 ~~to~~ on the director of
15 the appropriate department at the director's office in Sacramento not later than 15 days after the
16 inventory and appraisal is filed with the court. Compliance with this section is not required if an
17 unrevoked certificate described in subdivision (c) of Section 1461 is on file with the court with
18 respect to the ward or conservatee.

19
20 **§ 2612.**

21
22 If a timely request is made, the clerk of court shall ~~mail~~ serve pursuant to Section 1215 a copy of
23 the inventory and appraisal filed under Section 2610 ~~to~~ on the county assessor.

24
25 **§ 2614.**

26
27 (a) * * *

28
29 (b) Notice of the hearing, together with a copy of the objections, shall be given for the period and
30 in the manner provided in Chapter 3 (commencing with Section 1460) of Part 1. If the appraisal
31 was made by a probate referee, the person objecting shall also ~~mail~~ serve pursuant to Section
32 1215 notice of the hearing and a copy of the objection ~~to~~ on the probate referee at least 15 days
33 before the time set for the hearing.

34
35 (c) * * *

36
37 **§ 2683.**

38
39 (a) * * *

40
41 (b) Notice shall be ~~mailed to~~ served pursuant to Section 1215 on the persons designated in
42 Section 1460 and to the relatives named in the petition.

1 (c) If notice is required by Section 1461 to be given to the Director of State Hospitals or the
2 Director of Developmental Services, notice shall be ~~mailed~~ served pursuant to Section 1215 as so
3 required.

4
5 (d) If notice is required by Section 1461.5 to be given to the Veterans Administration, notice
6 shall be ~~mailed~~ served pursuant to Section 1215 as so required.

7
8 **§ 2684.**

9
10 Unless the petition states that the conservatee will be present at the hearing, the court investigator
11 shall do all of the following:

12
13 (a)-(f) * * *

14
15 (g) ~~Mail~~ Serve pursuant to Section 1215, at least five days before the hearing, a copy of the
16 report referred to in subdivision (f) ~~to~~ on all of the following:

17
18 (1)-(3) * * *

19
20 **§ 2700.**

21
22 (a) * * *

23
24 (b) The request for special notice shall be so entitled and shall set forth the name of the person
25 and the address ~~to~~ on which notices shall be ~~sent~~ served pursuant to Section 1215.

26
27 (c)-(d) * * *

28
29 (e) A copy of the request shall be ~~personally delivered or mailed to~~ served pursuant to Section
30 1215 on the guardian or conservator or to the attorney for the guardian or conservator. If
31 personally ~~delivered~~ served, the request is effective when it is delivered. If mailed or
32 electronically served, the request is effective when it is received.

33
34 (f) * * *

35
36 **§ 2702.**

37
38 (a) Unless the court makes an order dispensing with the notice, if a request has been made
39 pursuant to this chapter for special notice of a hearing, the person filing the petition, account, or
40 other paper shall ~~give~~ serve pursuant to Section 1215 written notice of the filing, together with a
41 copy of the petition, account, or other paper, and the time and place set for the hearing, ~~by mail~~
42 ~~to~~ on the person named in the request at the address set forth in the request, at least 15 days
43 before the time set for the hearing.

1
2 (b) If a request has been made pursuant to this chapter for special notice of the filing of an
3 inventory and appraisal of the estate or of the filing of any other paper that does not require a
4 hearing, the inventory and appraisal or other paper shall be ~~mailed~~ served pursuant to Section
5 1215 not later than 15 days after the inventory and appraisal or other paper is filed with the court.
6

7 **§ 2804.**
8

9 At least 30 days before the hearing, the petitioner shall ~~mail~~ serve pursuant to Section 1215 a
10 notice of the time and place of the hearing and a copy of the petition ~~to~~ on each person required
11 to be listed in the petition at the address stated in the petition.
12

13 **§ 2808.**
14

15 (a) * * *
16

17 (b) Unless notice is waived, a copy of the final account of the guardian or conservator and of the
18 petition for discharge, together with a notice of the hearing thereon, shall be ~~mailed~~ served
19 pursuant to Section 1215 at least 30 days before the date of the hearing ~~to~~ on all persons required
20 to be listed in the petition for transfer, including the foreign guardian or conservator.
21

22 **§ 3088.**
23

24 (a)–(e) * * *
25

26 (f) The court retains jurisdiction to modify or to vacate an order made under this section where
27 justice requires, except as to any amount that may have accrued prior to the date of the filing of
28 the petition to modify or revoke the order. At the request of any interested person, the order of
29 modification or revocation shall include findings of fact and may be made retroactive to the date
30 of the filing of the petition to revoke or modify, or to any date subsequent thereto. At least 15
31 days before the hearing on the petition to modify or vacate the order, the petitioner shall ~~mail~~
32 serve pursuant to Section 1215 a notice of the time and place of the hearing on the petition,
33 accompanied by a copy of the petition, ~~to~~ on the spouse who has the management or control of
34 the community property. Notice shall be given for the period and in the manner provided in
35 Chapter 3 (commencing with Section 1460) of Part 1 to any other persons entitled to notice of
36 the hearing under that chapter.
37

38 (g) * * *
39

40 **§ 3131.**
41

42 (a)–(b) * * *
43

1 (c) At least 15 days before the hearing on the petition, the petitioner shall ~~mail~~ serve pursuant to
2 Section 1215 a notice of the time and place of the hearing on the petition ~~to~~ on those persons
3 required to be named in the petition at the addresses set forth in the petition.
4

5 **§ 3206.**

6
7 (a) * * *

8
9 (b) Not less than 15 days before the hearing, notice of the time and place of the hearing and a
10 copy of the petition shall be ~~mailed to~~ served pursuant to Section 1215 on the following persons:
11

12 (1)–(2) * * *

13
14 (c) * * *

15
16 **§ 3602.**

17
18 (a)–(e) * * *

19
20 (f) Notice of the time and place of hearing on a petition under subdivision (d), and a copy of the
21 petition, shall be ~~mailed to~~ served pursuant to Section 1215 on the State Director of Health Care
22 Services, the Director of State Hospitals, and the Director of Developmental Services at the
23 office of each director in Sacramento at least 15 days before the hearing.
24

25 **§ 3704.**

26
27 (a) Notice of the nature of the proceedings and the time and place of the hearing shall be given
28 by the petitioner at least 15 days before the hearing date by all of the following means:
29

30 (1) By ~~mail~~ service pursuant to Section 1215, together with a copy of the petition, ~~to~~ on all
31 persons comprising the family of the absentee.
32

33 (2)–(3) * * *

34
35 (b) * * *

36
37 **§ 3801.**

38
39 (a) The petition shall be made upon 15 days' notice, by ~~mail or personal delivery,~~ to service
40 pursuant to Section 1215, on all of the following persons:
41

42 (1)–(2) * * *

1 (b) * * *

2
3 **§ 3918.**

4
5 (a)-(f) * * *

6
7 (g) At least 15 days before the hearing on a petition under subdivision (d) or (f), the petitioner
8 shall serve notice ~~by mail or personal delivery~~ pursuant to Section 1215 on each of the following
9 persons:

10
11 (1)-(3) * * *

12
13 (h) * * *

14
15 **§ 8100.**

16
17 The notice of hearing of a petition for administration of a decedent’s estate, whether served
18 under Article 2 (commencing with Section 8110) or published under Article 3 (commencing with
19 Section 8120), shall state substantially as follows:

20
21 NOTICE OF PETITION TO ADMINISTER

22
23 ESTATE OF _____, ESTATE NO. _____

24
25 To all heirs, beneficiaries, creditors, and contingent creditors of _____ and persons who
26 may be otherwise interested in the will or estate, or both:

27
28 A petition has been filed by _____ in the Superior Court of California, County of
29 _____, requesting that _____ be appointed as personal representative to administer the
30 estate of _____ [and for probate of the decedent’s will, which is available for examination
31 in the court file].

32
33 [The petition requests authority to administer the estate under the Independent Administration of
34 Estates Act. This will avoid the need to obtain court approval for many actions taken in
35 connection with the estate. However, before taking certain actions, the personal representative
36 will be required to give notice to interested persons unless they have waived notice or have
37 consented to the proposed action. The petition will be granted unless good cause is shown why it
38 should not be.]

39
40 The petition is set for hearing in Dept. No.

41
42 at _____ (Address) _____

1 on _____ (Date of hearing) _____ at _____ (Time of hearing) _____ .

2
3 IF YOU OBJECT to the granting of the petition, you should appear at the hearing and state your
4 objections or file written objections with the court before the hearing. Your appearance may be
5 in person or by your attorney.

6
7 IF YOU ARE A CREDITOR or a contingent creditor of the deceased, you must file your claim
8 with the court and ~~mail~~ serve pursuant to Section 1215 of the California Probate Code a copy ~~to~~
9 on the personal representative appointed by the court within the later of either (1) four months
10 from the date of first issuance of letters to a general personal representative, as defined in
11 subdivision (b) of Section 58 of the California Probate Code, or (2) 60 days from the date of
12 mailing or personal delivery of the notice to you under Section 9052 of the California Probate
13 Code.

14
15 YOU MAY EXAMINE the file kept by the court. If you are interested in the estate, you may
16 request special notice of the filing of an inventory and appraisal of estate assets or of any petition
17 or account as provided in Section 1250 of the California Probate Code.

18
19 _____ (Name and address of petitioner or petitioner's attorney) _____

20
21 **§ 8110.**

22
23 At least 15 days before the hearing of a petition for administration of a decedent's estate, the
24 petitioner shall serve notice of the hearing ~~by mail or personal delivery~~ pursuant to Section 1215
25 on all of the following persons:

26
27 (a)-(b) * * *

28
29 **§ 8111.**

30
31 If the decedent's will involves or may involve a testamentary trust of property for charitable
32 purposes other than a charitable trust with a designated trustee resident in this state, or involves
33 or may involve a devise for charitable purposes without an identified devisee, notice of hearing
34 accompanied by a copy of the petition and of the will shall be served pursuant to Section 1215 on
35 the Attorney General as provided in Section 1209.

36
37 **§ 8469.**

38
39 (a) For good cause, the court may allow the priority given by Section 8461 to a conservator or
40 guardian of the estate of the decedent serving in that capacity at the time of death that has not
41 filed a first account, or that is acting as guardian or conservator for another person, or both.

42
43 (b) If the petition for appointment as administrator requests the court to allow the priority

1 permitted by subdivision (a), the petitioner shall, in addition to the notice otherwise required by
2 statute, serve notice of the hearing ~~by mail or personal delivery~~ pursuant to Section 1215 on the
3 public administrator.

4
5 **§ 8522.**

6
7 (a) * * *

8
9 (b) Appointment of a successor personal representative shall be made on petition and service of
10 notice pursuant to Section 1215 on interested persons in the manner provided in Article 2
11 (commencing with Section 8110) of Chapter 2, and shall be subject to the same priority as for an
12 original appointment of a personal representative. The personal representative of a deceased
13 personal representative is not, as such, entitled to appointment as successor personal
14 representative.

15
16 **§ 8803.**

17
18 On the filing of an inventory and appraisal or a supplemental inventory and appraisal, the
19 personal representative shall, pursuant to Section 1252, ~~mail~~ serve a copy ~~to~~ on each person who
20 has requested special notice.

21
22 **§ 8903.**

23
24 (a)–(b) * * *

25
26 (c) The hearing on the waiver shall be not sooner than 15 days after the petition is filed. Notice
27 of the hearing on the petition, together with a copy of the petition and a copy of the proposed
28 inventory and appraisal, shall be ~~given~~ served as provided in Sections 1215 and 1220 ~~to~~ on all of
29 the following persons:

30
31 (1)–(5) * * *

32
33 (d)–(e) * * *

34
35 **§ 8906.**

36
37 (a)–(b) * * *

38
39 (c) The person objecting shall ~~give~~ serve notice of the hearing, together with a copy of the
40 objection, as provided in Section 1220. If the appraisal was made by a probate referee, the person
41 objecting shall also ~~mail~~ serve notice of the hearing and a copy of the objection ~~to~~ on the probate
42 referee at least 15 days before the date set for the hearing.

1 (d)-(e) * * *

2
3 **§ 8924.**

4
5 (a) The court shall remove the designated probate referee in any of the following circumstances:

6
7 (1) The personal representative shows cause, including incompetence or undue delay in making
8 the appraisal, that in the opinion of the court warrants removal of the probate referee. The
9 showing shall be made at a hearing on petition of the personal representative. The personal
10 representative shall ~~mail~~ serve pursuant to Section 1215 notice of the hearing on the petition ~~to~~
11 on the probate referee at least 15 days before the date set for the hearing.

12
13 (2) The personal representative has the right to remove the first probate referee who is designated
14 by the court. No cause need be shown for removal under this paragraph. The personal
15 representative may exercise the right at any time before the personal representative delivers the
16 inventory to the probate referee. The personal representative shall exercise the right by filing an
17 affidavit or declaration under penalty of perjury with the court and ~~mailing~~ serving a copy ~~to~~ on
18 the probate referee. Thereupon, the court shall remove the probate referee without any further act
19 or proof.

20
21 (3) * * *

22
23 (b) * * *

24
25 **§ 9052.**

26
27 The notice shall be in substantially the following form:

28
29 NOTICE OF ADMINISTRATION OF
30 ESTATE OF _____, DECEDENT

31
32 Notice to creditors:

33
34 Administration of the estate of _____ (deceased) has been commenced by _____
35 (personal representative) in Estate No. _____ in the Superior Court of California, County of
36 _____. You must file your claim with the court and ~~mail~~ serve a copy pursuant to Section
37 1215 of the California Probate Code on the personal representative within the last to occur of
38 four months after _____ (the date letters were first issued to a general personal
39 representative, as defined in subdivision (b) of Section 58 of the California Probate Code), or 60
40 days after the date this notice was mailed to you or, in the case of personal delivery, 60 days after
41 the date this notice was delivered to you, or you must petition to file a late claim as provided in
42 Section 9103 of the California Probate Code. Failure to file a claim with the court and serve a
43 copy of the claim on the personal representative will, in most instances, invalidate your claim. A

1 claim form may be obtained from the court clerk. For your protection, you are encouraged to file
2 your claim by certified mail, with return receipt requested.

3
4 (Date of mailing this notice)

5 (Name and address of personal representative or attorney)

6
7 **§ 9153.**

8
9 A claim form adopted by the Judicial Council shall inform the creditor that the claim must be
10 filed with the court and a copy ~~mailed or delivered to~~ served pursuant to Section 1215 on the
11 personal representative. The claim form shall include a proof of ~~mailing or delivery~~ service of a
12 copy of the claim ~~to~~ on the personal representative, which may be completed by the creditor.

13
14 **§ 9732.**

15
16 (a)–(b) * * *

17
18 (c) Notice of the hearing on the petition shall be ~~given~~ served as provided in Sections 1215 and
19 1220. In addition, the petitioner shall cause notice of the hearing and a copy of the petition to be
20 ~~mailed to~~ served pursuant to Section 1215 on all known devisees of property which is proposed
21 to be invested. Where the property proposed to be invested is devised to a trust or trustee, notice
22 of the hearing and a copy of the petition shall be ~~mailed to~~ served pursuant to Section 1215 on
23 the trustee or, if the trustee has not yet accepted the trust, ~~to~~ on the person named in the will as
24 trustee. Mailing Service pursuant to this subdivision shall be ~~to~~ on the person's last known
25 address as provided in Section 1220.

26
27 (d) * * *

28
29 **§ 9762.**

30
31 (a)–(c) * * *

32
33 (d) To obtain an order under this section, the personal representative or any interested person
34 shall file a petition showing that the order requested would be to the advantage of the estate and
35 in the best interest of the interested persons. Notice of the hearing on the petition shall be ~~given~~
36 served as provided in Sections 1215 and 1220. In addition, unless the court otherwise orders, the
37 petitioner, not less than 15 days before the hearing, shall cause notice of hearing and a copy of
38 the petition to be ~~mailed to~~ served pursuant to Section 1215 on each of the surviving general
39 partners at his or her last known address.

40
41 **§ 9783.**

42
43 A person described in Section 9782 may ~~deliver or mail~~ serve pursuant to Section 1215 a written

1 objection to the disposition or abandonment to the personal representative on or before the date
2 specified in the notice as the date on or after which the property will be disposed of or
3 abandoned. Subject to Section 9788, after receipt of the written objection, the personal
4 representative shall not dispose of or abandon the property without authorization by order of the
5 court obtained under Section 9611.

6
7 **§ 9787.**

8
9 (a) Except as provided in subdivision (b), a person described in Section 9782 who receives notice
10 of the proposed disposition or abandonment as provided in Section 9782, waives the right to
11 have the court later review the disposition or abandonment of the property unless the person does
12 one of the following:

13
14 (1) ~~Delivers or mails~~ Serves pursuant to Section 1215 a written objection as provided in Section
15 9783.

16
17 (2) * * *

18
19 (b) * * *

20
21 **§ 10585.**

22
23 (a) The notice of proposed action shall state all of the following:

24
25 (1) The name, ~~and~~ mailing address, and electronic address of the personal representative.

26
27 (2) The person, ~~and~~ telephone number, and electronic address to ~~each~~ contact to get additional
28 information.

29
30 (3)-(4) * * *

31
32 (b)-(c) * * *

33
34 **§ 10586.**

35
36 The notice of proposed action shall be ~~mailed or personally delivered to~~ served pursuant to
37 Section 1215 on each person required to be given notice of proposed action not less than 15 days
38 before the date specified in the notice of proposed action on or after which the proposed action is
39 to be taken. If mailed, the notice of proposed action shall be addressed to the person at the
40 person's last known address. ~~Sections 1215 and 1216 apply to the mailing or delivery of the~~
41 ~~notice of proposed action.~~

42
43 **§ 10587.**

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(a) * * *

(b) The objection to the proposed action is made by ~~delivering or mailing~~ servicing pursuant to Section 1215 a written objection to the proposed action ~~to~~ on the personal representative at the address stated in the notice of proposed action. The person objecting to the proposed action either may use the Judicial Council form or may make the objection in any other writing that identifies the proposed action with reasonable certainty and indicates that the person objects to the taking of the proposed action.

(c) * * *

§ 11601.

Notice of the hearing on the petition shall be ~~given~~ served as provided in Sections 1215 and 1220 ~~to~~ on all of the following persons:

(a)-(e) * * *

§ 13200.

(a) No sooner than six months from the death of a decedent, a person or persons claiming as successor of the decedent to a particular item of property that is real property may file in the superior court in the county in which the decedent was domiciled at the time of death, or if the decedent was not domiciled in this state at the time of death, then in any county in which real property of the decedent is located, an affidavit in the form prescribed by the Judicial Council pursuant to Section 1001 stating all of the following:

(1)-(10) * * *

(b)-(e) * * *

(f) The affiant shall ~~mail~~ serve pursuant to Section 1215 a copy of the affidavit and attachments ~~to~~ on any person identified in paragraph (4) of subdivision (a).

§ 13655.

(a) If proceedings for the administration of the estate of the deceased spouse are pending at the time a petition is filed under this chapter, or if the proceedings are not pending and if the petition filed under this chapter is not filed with a petition for probate of the deceased spouse's will or for administration of the estate of the deceased spouse, notice of the hearing on the petition filed under this chapter shall be ~~given~~ served as provided in Sections 1215 and 1220 ~~to~~ on all of the following persons:

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43

(1)-(2) * * *

(b) The notice specified in subdivision (a) shall also be ~~mailed~~ served as provided in subdivision (a) ~~to~~ on the Attorney General, addressed to the office of the Attorney General at Sacramento, if the petitioner bases the allegation that all or part of the estate of the deceased spouse is property passing to the surviving spouse upon the will of the deceased spouse and the will involves or may involve either of the following:

(1)-(2) * * *

§ 15686.

(a) * * *

(b) A trustee may not charge an increased trustee's fee for administration of a particular trust unless the trustee first gives at least 60 days' written notice of that increased fee to all of the following persons:

(1)-(2) * * *

(3) Each beneficiary who has made a written request to the trustee for notice of an increased trustee's fee and has given an address for receiving notice ~~by mail~~.

(c) * * *

§ 16061.7.

(a)-(d) * * *

(e) The notification by trustee shall be served pursuant to Section 1215 on ~~by mail to~~ the last known address, ~~or by personal delivery.~~

(f) * * *

(g) The notification by trustee shall contain the following information:

(1) * * *

(2) The name, ~~mailing~~ mailing address, and telephone number of each trustee of the trust.

(3)-(5) * * *

1 (h) If the notification by the trustee is served because a revocable trust or any portion of it has
2 become irrevocable because of the death of one or more settlors of the trust, or because, by the
3 express terms of the trust, the trust becomes irrevocable within one year of the death of a settlor
4 because of a contingency related to the death of one or more of the settlors of the trust, the
5 notification by the trustee shall also include a warning, set out in a separate paragraph in not less
6 than 10-point boldface type, or a reasonable equivalent thereof, that states as follows:

7
8 “You may not bring an action to contest the trust more than 120 days from the date this
9 notification by the trustee is served upon you or 60 days from the date on which a copy of the
10 terms of the trust is ~~mailed or personally delivered to~~ served on you during that 120-day period,
11 whichever is later.”

12
13 (i)–(j) * * *

14
15 **§ 16061.8.**

16
17 No person upon whom the notification by the trustee is served pursuant to this chapter, whether
18 the notice is served on him or her within or after the time period set forth in subdivision (f) of
19 Section 16061.7, may bring an action to contest the trust more than 120 days from the date the
20 notification by the trustee is served upon him or her, or 60 days from the day on which a copy of
21 the terms of the trust is ~~mailed or personally delivered to~~ served pursuant to Section 1215 on him
22 or her during that 120-day period, whichever is later.

23
24 **§ 16061.9.**

25
26 (a) * * *

27
28 (b) A trustee who fails to serve the notification by trustee as required by Section 16061.7 on an
29 heir who is not a beneficiary and whose identity is known to the trustee shall be responsible for
30 all damages caused to the heir by the failure unless the trustee shows that the trustee made a
31 reasonably diligent effort to comply with that section. For purposes of this subdivision,
32 “reasonably diligent effort” means that the trustee has ~~sent~~ served notice ~~by first-class mail to~~
33 pursuant to Section 1215 on the heir at the heir’s last ~~mailing~~ address actually known to the
34 trustee.

35
36 (c) * * *

37
38 **§ 16336.6.**

39
40 Unless expressly prohibited by the governing instrument, a trustee may reconvert the trust from a
41 unitrust or change the payout percentage of a unitrust.

42
43 (a) The trustee may make the reconversion or change in payout percentage without a court order

1 if all of the following conditions are satisfied:

2
3 (1)–(2) * * *

4
5 (3) One of the following notice requirements is satisfied:

6
7 (A) In the case of a proposed reconversion, the trustee gives written notice of the trustee’s
8 intention to convert that complies with the requirements of Chapter 5 (commencing with Section
9 16500) and no beneficiary objects to the proposed action in a writing ~~delivered to~~ served
10 pursuant to Section 1215 on the trustee within the period prescribed by subdivision (d) of Section
11 16502. The trustee’s notice shall include the information described in subdivision (3) and (4) of
12 subdivision (c) of Section 16336.4.

13
14 (B) In the case of a proposed change in payout percentage, the trustee gives written notice stating
15 the new payout percentage that the trustee proposes to adopt, which notice shall comply with the
16 requirements of Chapter 5 (commencing with Section 16500), and no beneficiary objects to the
17 proposed action in a writing ~~delivered~~ served pursuant to Section 1215 on the trustee within the
18 period prescribed by subdivision (d) of Section 16502.

19
20 (b) * * *

21
22 **§ 16501.**

23
24 (a) The trustee who elects to provide notice pursuant to this chapter shall ~~mail~~ serve pursuant to
25 Section 1215 notice of the proposed action ~~to~~ on each of the following:

26
27 (1)–(2) * * *

28
29 (b)–(d) * * *

30
31 **§ 16502.**

32
33 The notice of proposed action shall state that it is given pursuant to this section and shall include
34 all of the following:

35
36 (a) The name, mailing address, and ~~mailing~~ electronic address of the trustee.

37
38 (b) The name, ~~and~~ telephone number, and electronic address of a person who may be contacted
39 for additional information.

40
41 (c) A description of the action proposed to be taken and an explanation of the reasons for the
42 action.

1 (d) The time within which objections to the proposed action can be made, which shall be at least
2 45 days from the ~~mailing~~ service of the notice of proposed action.

3
4 (e) * * *

5
6 **§ 16503.**

7
8 (a) A beneficiary may object to the proposed action by ~~mailing~~ serving pursuant to Section 1215
9 a written objection ~~to~~ on the trustee at the address stated in the notice of proposed action within
10 the time period specified in the notice of proposed action.

11
12 (b)-(d) * * *

13
14 **§ 17203.**

15
16 (a) At least 30 days before the time set for the hearing on the petition, the petitioner shall cause
17 notice of hearing to be ~~mailed to~~ served pursuant to Section 1215 on all of the following persons:

18
19 (1)-(3) * * *

20
21 (b) * * *

22
23 (c) If a person to whom notice otherwise would be given has been deceased for at least 40 days,
24 and no personal representative has been appointed for the estate of that person, and the deceased
25 person's right, title, or interest has not passed to any other person pursuant to Division 8
26 (commencing with Section 13000) or otherwise, notice may instead be ~~given to~~ served pursuant
27 to Section 1215 on the following persons:

28
29 (1)-(2) * * *

30
31 **§17204.**

32
33 (a) If proceedings involving a trust are pending, a beneficiary of the trust may, in person or by
34 attorney, file with the court clerk where the proceedings are pending a written request stating that
35 the beneficiary desires special notice of the filing of petitions in the proceeding relating to any or
36 all of the purposes described in Section 17200 and giving an address for receiving notice by
37 mail. A copy of the request shall be ~~personally delivered to or mailed to~~ served pursuant to
38 Section 1215 on the trustee or the trustee's attorney. If personally ~~delivered~~ served, the request is
39 effective when it is delivered. If mailed or electronically served, the request is effective when it
40 is received. When the original of the request is filed with the court clerk, it shall be accompanied
41 by a written admission or proof of service. A request for special notice may be modified or
42 withdrawn in the same manner as provided for the making of the initial request.

1 (b)(1)–(4) * * *

2
3 (c)–(d) * * *

4
5 **§ 17205.**

6
7 If a trustee or beneficiary has served and filed either a notice of appearance, in person or by
8 counsel, directed to the petitioner or the petitioner’s counsel in connection with a particular
9 petition and proceeding or a written request for a copy of the petition, and has given an address
10 to which notice or a copy of the petition may be ~~mailed or delivered~~ served pursuant to Section
11 1215, the petitioner shall cause a copy of the petition to be ~~mailed to~~ served on that person within
12 five days after service of the notice of appearance or receipt of the request.
13

14 **§ 17403.**

15
16 (a) At least 30 days before the time set for the hearing on the petition, the petitioner shall cause
17 notice of the time and place of the hearing to be ~~mailed to~~ served pursuant to Section 1215 on
18 each of the persons named in the petition at their respective addresses as stated in the petition.
19

20 (b) * * *

21
22 **§ 17454.**

23
24 (a) At least 30 days before the time set for the hearing on the petition, the petitioner shall cause
25 notice of the time and place of the hearing to be ~~mailed to~~ served pursuant to Section 1215 on
26 each of the persons named in the petition at their respective addresses as stated in the petition.
27

28 (b) * * *

29
30 **§ 19011.**

31
32 (a) * * *

33
34 (b) Any claim form adopted by the Judicial Council shall inform the creditor that the claim must
35 be filed with the court and a copy ~~mailed or delivered to~~ served pursuant to Section 1215 on the
36 trustee. The claim form shall include a proof of ~~mailing or delivery~~ service of a copy of the claim
37 ~~to~~ on the trustee, which may be completed by the claimant.
38

39 **§ 19024.**

40
41 At least 30 days before the time set for the hearing on the petition, the petitioner shall cause
42 notice of the time and place of the hearing, together with a copy of the petition, to be ~~mailed to~~
43 served pursuant to Section 1215 on each of the following persons who is not a petitioner:

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(a)-(d) * * *

§ 19040.

(a) * * *

(b) The caption of the notice, the deceased settlor’s name, and the name of the trustee shall be in at least 8-point type, the text of the notice shall be in at least 7-point type, and the notice shall state substantially as follows:

NOTICE TO CREDITORS
OF _____

SUPERIOR COURT OF CALIFORNIA
COUNTY OF _____

Notice is hereby given to the creditors and contingent creditors of the above-named decedent, that all persons having claims against the decedent are required to file them with the Superior Court, at _____, and ~~mail~~ serve pursuant to Section 1215 of the California Probate Code a copy ~~to~~ on _____, as trustee of the trust dated _____ wherein the decedent was the settlor, at _____, within the later of four months after _____ (the date of the first publication of notice to creditors) or, if notice is mailed or personally delivered to you, 60 days after the date this notice is mailed or personally delivered to you. A claim form may be obtained from the court clerk. For your protection, you are encouraged to file your claim by certified mail, with return receipt requested.

(name and address of trustee or attorney)

(c) * * *

§ 19052.

The notice shall be in substantially the following form:

NOTICE TO CREDITORS
OF _____

SUPERIOR COURT OF CALIFORNIA
COUNTY OF _____

1 Notice is hereby given to the creditors and contingent creditors of the above-named decedent,
2 that all persons having claims against the decedent are required to file them with the Superior
3 Court, at _____, and ~~mail or deliver~~ serve pursuant to Section 1215 of the California Probate
4 Code a copy to on _____, as trustee of the trust dated _____ wherein the decedent was the
5 settlor, at _____, within the later of four months after _____ (the date of the first publication
6 of notice to creditors) or, if notice is mailed or personally delivered to you, 60 days after the date
7 this notice is mailed or personally delivered to you, or you must petition to file a late claim as
8 provided in Section 19103 of the Probate Code. A claim form may be obtained from the court
9 clerk. For your protection, you are encouraged to file your claim by certified mail, with return
10 receipt requested.

11 _____
12 _____
13 (Date of mailing this
14 notice if applicable)

15 _____
16 _____
17 (name and address of
18 trustee or attorney)

19
20 **§ 19150.**

21
22 (a) * * *

23
24 (b) A claim shall be filed with the court and a copy shall be ~~mailed to~~ served pursuant to Section
25 1215 on the trustee. Failure to ~~mail~~ serve a copy ~~to on~~ the trustee does not invalidate a properly
26 filed claim, but any loss that results from the failure shall be borne by the creditor.

27
28 **§ 19153.**

29
30 The Judicial Council may adopt a claim form which shall inform the creditor that the claim must
31 be filed with the court and a copy ~~mailed or delivered to~~ served pursuant to Section 1215 on the
32 trustee. Any such claim form shall include a proof of ~~mailing or delivery~~ service of a copy of the
33 claim ~~to on~~ the trustee which may be completed by the creditor.

34
35 **§ 19323.**

36
37 (a) * * *

38
39 (b) At least 30 days before the time set for the hearing on the petition, the petitioner shall cause
40 notice of the time and place of hearing, together with a copy of the petition, to be ~~mailed to~~
41 served pursuant to Section 1215 on each of the following persons who are not petitioners:

42
43 (1)-(4) * * *

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§ 20122.

Not less than 30 days before the hearing, the petitioner shall do both of the following:

(a) Cause notice of the hearing and a copy of the petition to be ~~mailed to~~ served pursuant to Section 1215 on the personal representative and ~~to~~ on each person interested in the estate against whom prorated amounts may be charged pursuant to paragraph (1) of subdivision (a) of Section 20123.

(b) * * *

§ 20222.

Not less than 30 days before the hearing the petitioner shall do both of the following:

(a) Cause notice of the hearing and a copy of the petition to be ~~mailed to~~ served pursuant to Section 1215 on the trustee and each transferee against whom prorated amounts may be charged pursuant to paragraph (1) of subdivision (a) of Section 20223.

(b) * * *

Sections 728 and 5362 of the Welfare and Institutions Code would be amended, effective January 1, 2018, to read:

1 **§ 728.**

2

3 (a) * * *

4

5 (b) If the juvenile court decides to terminate or modify a guardianship previously established
6 under the Probate Code pursuant to subdivision (a), the juvenile court shall provide notice of that
7 decision to the court in which the guardianship was originally established. The clerk of the
8 superior court, upon receipt of the notice, shall file the notice with other documents and records
9 of the pending proceeding and send by first-class mail or electronic service pursuant to Section
10 215 of the Probate Code a copy of the notice to all parties of record in the superior court.

11

12 (c)-(g) * * *

13

14 **§ 5362.**

15

16 (a) The clerk of the superior court shall notify each conservator, his or her conservatee and the
17 person in charge of the facility in which the person resides, and the conservatee's attorney, at
18 least 60 days before the termination of the one-year period. If the conservator is a private party,
19 the clerk of the superior court shall also notify the mental health director and the county officer
20 providing conservatorship investigation pursuant to Section 5355, at least 60 days before the
21 termination of the one-year period. Notification shall be ~~given in person or by first-class mail~~
22 served pursuant to Section 1215 of the Probate Code. The notification shall be in substantially
23 the following form:

24

25 [Form text here]

26

27 (b) Subject to a request for a court hearing or jury trial, the judge may, on his or her own motion,
28 accept or reject the conservator's petition.

29

30 If the conservator does not petition to reestablish conservatorship at or before the termination of
31 the one-year period, the court shall issue a decree terminating conservatorship. The decree shall
32 be ~~sent to~~ served pursuant to Section 1215 of the Probate Code on the conservator and his or her
33 conservatee ~~by first-class mail~~ and shall be accompanied by a statement of California law as set
34 forth in Section 5368.