

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (<i>Name</i>):	FOR COURT USE ONLY		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:			
CASE NAME:			
ORDER APPROVING COMPROMISE OF CLAIM OR ACTION OR DISPOSITION OF PROCEEDS OF JUDGMENT FOR MINOR OR PERSON WITH A DISABILITY	CASE NUMBER: <table style="width: 100%; border: none;"> <tr> <td style="border: none; width: 70%;">HEARING DATE, IF ANY:</td> <td style="border: none; width: 30%;">DEPT.:</td> </tr> </table>	HEARING DATE, IF ANY:	DEPT.:
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1. Hearing

- a. No hearing was held. The matter is eligible for expedited approval under rule 7.950.5 of the California Rules of Court.
- b. A hearing was held: Date: Time: Dept.:
- c. Judicial officer:

2. Petitioner (name or pseudonym*):

is the (*check all relationships or representative capacities that apply*): parent guardian ad litem*
 guardian conservator other (*specify*):

of the claimant named in item 3. Petitioner has requested approval of the compromise or settlement of a disputed claim or pending action or the disposition of the proceeds of a judgment for a minor or a person with a disability.

(*Petitioner was appointed guardian ad litem under a pseudonym. (See Code Civ. Proc., § 372.5.))

3. Claimant (name):

- a. is a minor.
- b. is a "person with a disability" within the meaning of Probate Code section 3603 who is:
- (1) An adult. Claimant's date of birth is (*specify*):
- (2) A minor described in Probate Code section 3603(b)(3).

4. Defendant

The claim or action to be compromised or settled is asserted, or the judgment is entered, against (*name of settling or judgment defendant or defendants (the "payer")*):

THE COURT FINDS

5. Notice has been given as required by law.
6. a. The claimant is an adult who has the capacity to consent to this order within the meaning of Probate Code section 812 and does not have a conservator of the estate. The claimant has given express consent to this order.
- b. The claimant's consent to this order is not required because the claimant is a minor, a conservatee, or a person who lacks the capacity to consent to the order within the meaning of Probate Code section 812.

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THE COURT ORDERS

6. The petition is granted and the proposed compromise or settlement, or the proposed disposition of the proceeds of the judgment, is approved. The gross amount or value of the settlement or judgment in favor of claimant is: \$

7. Until further order of the court, jurisdiction is reserved to determine a claim for a reduction of a Medi-Cal lien under Welfare and Institutions Code section 14124.76. The amount shown payable to the Department of Health Care Services in item 8a(4) of this order is the full amount of the lien claimed by the department but is subject to reduction on further order of the court upon determination of the claim for reduction.

8. The payer must disburse the proceeds of the settlement or judgment approved by this order in the following manner:

a. **Payment of fees and expenses**

Fees and expenses shall be paid by one or more checks or drafts drawn payable to the order of the petitioner and the petitioner's attorney, if any, or directly to third parties entitled to receive payment identified in this order for the following items of expense or damage, which are hereby authorized to be paid out of the proceeds of the settlement or judgment:

(1) Attorney's fees in the total amount of: \$ payable to (*specify*):

(2) Reimbursement for medical and all other expenses paid by the petitioner or the petitioner's attorney in the total amount of: \$

(3) Medical, hospital, ambulance, nursing, and other similar expenses payable directly to providers as follows, in the total amount of: \$

(a) Payee (*name*):

(i) address:

(ii) Amount: \$

(b) Payee (*name*):

(i) address:

(ii) Amount: \$

Continued on Attachment 8a(3). (*Provide information about additional payees in the above format.*)

(4) Other authorized disbursements payable directly to third parties in the total amount of: \$
(*Describe and state the amount of each item and provide the name and address of each payee*):

Continued on Attachment 8a(4).

(5) Total allowance for fees and expenses from the settlement or judgment: \$

CASE NAME:

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8. b. Balance for claimant

The balance of the settlement or judgment available for claimant after payment of all allowed fees and expenses is:

\$

The balance shall be disbursed as follows:

- (1) By one or more checks or drafts in the total amount of *(specify)*: \$
 drawn payable to the order of the petitioner in the petitioner's representative capacity. Each check or draft must bear an endorsement on the face or reverse that it is for deposit in one or more interest-bearing, federally insured accounts in the name of the petitioner in the petitioner's representative capacity. No withdrawals may be made from these accounts ("blocked accounts") except as provided in the *Order to Deposit Funds in Blocked Account* (form MC-355) signed at the same time as this order.
- (2) By the following method(s) *(describe each method, including the amount to be disbursed by each)*:

Continued on Attachment 8b(2).

- (3) If money is to be paid to a special needs trust under Probate Code section 3604, all statutory liens in favor of the state Department of Health Care Services, the state Department of State Hospitals, the state Department of Developmental Services, and any city and county in California must first be satisfied by the following method *(specify)*:

Continued on Attachment 8b(3).

9. Further orders of the court concerning blocked accounts

The court makes the following additional orders concerning any part of the balance ordered to be deposited in a blocked account under item 8b(1):

- a. Within 48 hours of receipt of a check or draft described in item 8b(1), the petitioner and the petitioner's attorney, if any, must deposit the check or draft in the name of petitioner in the petitioner's representative capacity in one or more blocked accounts at *(specify name, branch, and address of each depository, and the amount of each account)*:

Continued on Attachment 9a.

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9. b. The petitioner and the petitioner's attorney, if any, must deliver to each depository at the time of deposit three copies of the *Order to Deposit Funds in Blocked Account* (form MC-355), which is signed at the same time as this order, and three copies of the *Acknowledgment of Receipt of Order and Funds for Deposit in Blocked Account* (form MC-356). The petitioner or the petitioner's attorney must file a copy of the receipt with this court within 15 days of the deposit. The sole responsibilities of the petitioner and the petitioner's attorney, if any, are to place the balance in a blocked account or accounts and to file a copy of the receipt on time.
- c. The balance of the proceeds of the settlement or judgment deposited in a blocked account or accounts under item 8b(1) may be withdrawn only as follows (*check (1) or (2)*):
- (1) No withdrawals of principal or interest may be made from the blocked account or accounts without a further written order under this case name and number, signed by a judicial officer, and file-stamped by this court. The money on deposit is not subject to escheat.
- (2) The blocked account or accounts belong to a minor, who was born on (*date*):
No withdrawals of principal or interest may be made from the blocked account or accounts without a further written order under this case name and number, signed by a judicial officer, and file-stamped by this court, until the minor reaches 18 years of age. When the minor reaches 18 years of age, the depository, without further order of this court, is authorized and directed to pay by check or draft directly to the former minor, on proper demand, all funds, including interest, deposited under this order. The money on deposit is not subject to escheat.

10. **Authorization to execute settlement documents**

The petitioner is authorized to execute settlement documents as follows (*check only one*):

- a. On receipt of the full amount of the settlement sum approved by this order and the deposit of funds, the petitioner is authorized and directed to execute and deliver to the payer (1) a full, complete, and final release and discharge of any and all claims and demands of the claimant by reason of the accident or incident described in the petition and the resultant injuries to the claimant and (2) a properly executed dismissal with prejudice.
- b. The petitioner is authorized and directed to execute any and all documents reasonably necessary to carry out the terms of the settlement.
- c. The petitioner is authorized and directed to (*specify*):

Continued on Attachment 10c.

11. Bond is ordered and fixed in the amount of: \$ _____ not required.

12. A copy of this order must be served on the payer immediately.

13. **Additional orders**

The court makes the following additional orders (*specify*):

Continued on Attachment 13.

Date:

JUDICIAL OFFICER
 SIGNATURE FOLLOWS LAST ATTACHMENT