



JUDICIAL COUNCIL OF CALIFORNIA

PROBATE AND MENTAL HEALTH
ADVISORY COMMITTEE

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PROBATE AND MENTAL HEALTH ADVISORY COMMITTEE

CLOSED MEETING AGENDA

Closed to the Public (Cal. Rules of Court, rule 10.75(c)(3))

Date: November 16, 2016
Time: 1:00 p.m. to 5:00 p.m.

Meeting materials will not be posted on the advisory body web page on the California Courts website. Materials are only posted for open meetings. (Cal. Rules of Court, rule 10.75(h).)

I. CLOSED SESSION (CAL. RULES OF COURT, RULE 10.75(C)(3))

The entire meeting will be closed pursuant to California Rules of Court, rule 10.75(c)(3)(E) and 10.75(d). As specified in rule 10.75(c)(3)(E), the Probate and Mental Health Advisory Committee is a “rule committee,” and none of the items to be considered in this closed session are budget items within the meaning of rule 10.75(c)(1). The Chair has not concluded that any of these items may be addressed in open session.

Call to Order and Roll Call

Item 1 Approval of Minutes

Review and approve minutes of the committee’s last meeting, held on August 5, 2016.
(Action)

Item 2 Committee Membership

Welcome new and reappointed members; review 2016–2017 committee roster and advise of any desired additions or corrections. **(Information)**

Item 3 Subcommittee Membership

Review membership of the Legislation Subcommittee and the Ad Hoc Mental Health Subcommittee; advise of any desired additions or corrections. **(Information)**

Item 4 Mental Health Issues

Discuss possible committee action to address mental health issues arising in proceedings under the Probate and Welfare & Institutions Codes, including referrals from the Judicial Council's Mental Health Issues Implementation Task Force. **(Discussion)**

Item 5 Committee Governance

Review California Rules of Court governing the committee's charge, purview, and procedures. **(Information)**

Legislation

Item 6 2016 Legislative Report

Report from Jim Birnberg, Chair of the Legislation Subcommittee, and Dan Pone, Judicial Council Governmental Affairs, concerning 2016 legislation affecting decedents' estates, trusts, guardianships, and conservatorships. **(Information)**

Item 7 Legislative Proposals: Code Modernization and Retention of Original Wills

Update on status of proposed amendments (1) to the Probate Code to permit electronic service of papers in probate proceedings and (2) to the Government Code to permit destruction, after electronic reproduction, of original wills deposited with the courts. **(Information)**

Item 8 Implementation of Senate Bill 589 and Assembly Bill 1020

Update on the Secretary of State's certification of the VoteCal voter registration database and its effect on trial courts' reporting of voter disqualification and reinstatement orders to the Secretary. **(Information)**

General Matters

Item 9 Handbook for Conservators

Report on the Judicial Council's approval of the 2016 Edition of the *Handbook for Conservators*, and the *Handbook's* posting on the California courts website and distribution to the courts. **(Information)**

Item 10 Rules of Court and Judicial Council Forms Effective January 1, 2017

The Judicial Council adopted the committee's proposals for a new *Notice of the Conservatee's Death* (form GC-399) in response to the addition of section 2361 to the Probate Code and revisions to the *Petition for Probate* (form DE-111) and the *Petition to Determine Succession to Real Property* (form DE-310) in response to a request from the courts. **(Information)**

Item 11 Proposals for Improving Limited Conservatorship Proceedings

Discuss proposals (1) for training court staff on providing ADA-mandated accommodations to individuals with intellectual and developmental disabilities; and (2) for developing new rules of court and a Standard of Judicial Administration concerning qualifications, continuing education requirements, and performance standards for court-appointed counsel in limited conservatorship proceedings. **(Discussion and Action)**

Item 12 2016–2017 Annual Agenda

Review the committee’s updated 2015–2016 Annual Agenda; identify completed and pending items. Discuss proposals, including proposed rules and forms, for inclusion on the committee’s Annual Agenda for 2016–2017. **(Information and Discussion)**

Closing Matters

Item 13 Travel Expenses

Item 14 Next Meeting

A D J O U R N M E N T

Adjourn Closed Session