

Superior Court of California, County of Alameda  
Probate Department

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## PROBATE EXAMINER NOTES

### What are Examiner Notes?

- **Probate Examiner Notes** are summaries prepared by the probate examiner after reviewing your petition.
- Examiner Notes will include a list of any problems that need correcting in your petition.

### When are the Examiner Notes Available?

- **Approximately 1 week** before your hearing date, Examiner Notes will be ready for your review.
- Examiner Notes may be available earlier, so it is best to check early and often.

### Where can I find Examiner Notes?

- Examiner notes are available at our online portal.  
<https://publicrecords.alameda.courts.ca.gov/>
- **See HOW TO RETRIEVE EXAMINER NOTES BELOW**

### How do I address issues that require my attention?

- If [any of] the items need a response, you must declare that your response is true and correct under penalty of perjury. You may use the **Declaration form (MC-030)**, which includes the words "I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct" above the signature line.
  - o Declaration (MC-030) can be found here: <https://www.courts.ca.gov/documents/mc030.pdf>
- If you choose to use 28-Line Pleading Paper (formatted for Alameda County), be sure to include, "I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct" above your signature.

### How long do I have to address the issues?

- All requested documents must be filed at least two (2) court days before your hearing date.
- If documents are filed after this deadline, an Examiner is not likely to review the new filings and your matter will be continued.

### Can I communicate with the Examiners?

- Examiners can be reached at **(510) 647-4403**.
- Currently, Examiners are available between 9:00 a.m. and 10:00 a.m. each business day.
- **Examiners cannot provide legal advice**; probate cases can be complicated; you may want to speak with an experienced probate attorney if you require assistance with your petition.
- If you are self-represented, the Self-Help Center may be able to assist with Guardianships of the Person and Limited Conservatorships: <https://www.alameda.courts.ca.gov/self-help>

# HOW TO RETRIEVE EXAMINER NOTES:

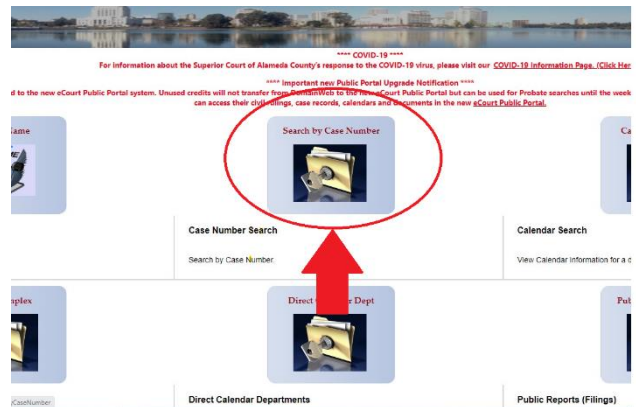
DomainWeb public website: <https://publicrecords.alameda.courts.ca.gov/>

By September 2023 we anticipate the Court will begin using eCourt. New Guidance will be published at that time.

The easiest way is to search for your case by using the *Case Number Search*:

## CASE NUMBER SEARCH:

1. The case number search and the calendar search are free; no payment is required.



2. After agreeing to the website terms of use and proving you are not a robot, you will need to enter your complete case number:



3. Examiner Notes will be listed in the Register of Action. They are free to view and download.

Date	Description	Pages	Price	Relief
12/01/2021	Order of Appointment - Partial No. 1 Filed	6	\$5.00	Full Page Preview
01/21/2022	Order of Appointment - Partial No. 2 Filed	2	\$2.00	Full Page Preview
01/21/2022	Order of Appointment - Partial No. 3 Filed	3	\$5.00	Full Page Preview
01/21/2022	Order of Appointment - Partial No. 4 Filed	1	\$5.00	Full Page Preview
01/21/2022	Order Appointing Administrator Filed	1	\$1.00	Full Page Preview
01/21/2022	Administrator Appointed			
01/21/2022	Petition for Letters of Administration Granted			
01/21/2022	Probate Hearing Commenced - Completed	1	\$1.00	Full Page Preview
01/21/2022	Examiner's Notes - Petition for Probate - Hearing 04/06/2022	5		View
01/21/2022	Notice of Estate Appointment	2	\$2.00	Full Page Preview
01/21/2022	Hearing Continued to Probate - 01/21/2022	1	\$1.00	Full Page Preview
01/21/2022	Probate Hearing Commenced - Continued	2	\$2.00	Full Page Preview
01/21/2022	Examiner's Notes - Petition for Probate - Hearing 03/03/2022	5		View
01/21/2022	Order of Appointment - Partial No. 5 Filed	3	\$5.00	Full Page Preview
01/21/2022	Proof of Publication As to	2	\$2.00	Full Page Preview

# HOW TO REVIEW EXAMINER NOTES:

1. Review the left side of the document and check for numbers. They indicate issues that need to be addressed.

MAILED NOTICE (PC §1511(a) & (c))

1

2

Code Section 2590 powers requested? ☐

Court to set next date for Accounting? ☐

Request to dispense with notice? ☐

*If Request, Declaration of Due Diligence in compliance with CRC 7.52 needs to be filed.*

*Ct--Please see declaration filed requesting dispense with Notice.*

*1. Does not appear that CRC 7.52 met.*

Notice and copy of petition mailed? ☒ *Not filed*

*\*\*See above re: Dispense w/ Notice.*

Mailed at least 15 days before hearing? ☐

Notice and proof of service complete? ☐

Notice mailed to (check all that apply):

2. Many issues can be addressed with a declaration.

MC-030

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
Jane Smith  
1234 Main Street  
Oakland CA 94704

TELEPHONE NO.: 510-555-1234 FAX NO. (Optional):  
E-MAIL ADDRESS (Optional): janesmith@email.com

ATTORNEY FOR NAME: pro-per

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Alameda

STREET ADDRESS:  
MAILING ADDRESS: 2120 Martin Luther King Jr. Way  
CITY AND ZIP CODE: Berkeley 94704  
BRANCH NAME: Berkeley Courthouse

PLAINTIFF/PETITIONER:  
DEFENDANT/RESPONDENT: Guardianship of John Smith

DECLARATION

CASE NUMBER: RP23920382

DECLARATION OF DUE DILIGENCE FOR NOTICE OF GUARDIANSHIP PETITION

I, Jane Smith, declare the following:

1. I am the petitioner in the above-captioned case. I request to dispense with notice of the following relatives of the minors who cannot be located despite due diligence efforts: Jacob Smith, maternal grandfather.

2. Jacob Smith, maternal grandfather, has not maintained a relationship with the family and his whereabouts are unknown. Minor's mother, Jill Smith, only knew the name of her father from her birth certificate and has never communicated with him and has no last known address. His other known child, Jason Smith, also has not communicated with his father and has no contact information from here. No other living relatives are known. A phone book and Internet search produced several hundred results for the name "Jacob Smith." It would be too burdensome to contact each one.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 4/1/23

Jane Smith

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

☐ Attorney for ☐ Plaintiff ☐ Petitioner ☐ Defendant  
☐ Respondent ☐ Other (Specify):

Form Approved for Optional Use  
JUDICIAL BRANCH OF CALIFORNIA  
MC-030 (Rev. January 1, 2004)

DECLARATION

Page 1 of 1

1 JANE SMITH  
2 1234 Main Street  
3 Oakland, CA, 94704  
4 510-555-1234

5 JANE SMITH, Self-Represented

6

7

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
9 FOR THE COUNTY OF ALAMEDA

10 Guardianship of JOHN SMITH No. RP23920382  
11  
12 DECLARATION OF DUE DILIGENCE FOR  
13 NOTICE OF GUARDIANSHIP PETITION

14 I, Jane Smith, declare the following:

15

16 Jacob Smith, maternal grandfather, has not maintained a relationship with the family and his  
17 whereabouts are unknown. Minor's mother, Jill Smith, only knew the name of her father from her  
18 birth certificate and has never communicated with him and has no last known address. His other  
19 known child, Jason Smith, also has not communicated with his father and has no contact information  
20 from here. No other living relatives are known. A phone book and Internet search produced several  
21 hundred results for the name "Jacob Smith." It would be too burdensome to contact each one.

22 I declare under penalty of perjury under the laws of the State of California that the foregoing is true  
23 and correct.

24 Date: 4/1/2023

25 JANE SMITH  
26 SELF-REPRESENTED

27

28

1  
DECLARATION

3. All filings addressing procedural issues MUST be cleared by 12:00 p.m., two (2) business days before the hearing, otherwise the hearing may be dropped or continued.

# COMMON ISSUE: SERVICE

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- When you are involved in a court case, you are responsible for delivery (“service”) of copies of important papers you file with the court to other people involved in the case.

**You cannot serve your own documents. Documents must be served by someone over the age of 18 who is NOT a party to the case.**

- There are several Judicial Council proof-of-service forms. The case type and matter you are filing will determine which one can be used. Here are some common examples (not an exhaustive list):
  - NOTICE OF PETITION TO ADMINISTER ESTATE OF [Decedent’s name]: DE-121.
    - To be used ONLY for initial petitions of decedent’s estate (DE-111)
  - NOTICE OF HEARING—DECEDENT’S ESTATE OR TRUST: DE-120.
    - For general use in decedent’s estates or trust cases.
  - NOTICE OF HEARING ON PETITION TO DETERMINE CLAIM TO PROPERTY: DE-115.
    - Must be used for Probate Code 850 Petitions
  - NOTICE OF HEARING— GUARDIANSHIP OR CONSERVATORSHIP: GC-020.
    - To be used in guardianships or conservatorships
  - PROOF OF SERVICE BY FIRST-CLASS MAIL—CIVIL: POS-030.
    - Generic proof of service.

**These forms also have corresponding Personal Service attachments. Look for the (P) designation in the form name, such as GC-020(P).**

**For additional information regarding service in Guardianship and Limited Conservatorship cases, please see the below websites.**

**Guardianships:** <https://selfhelp.courts.ca.gov/guardianship/notify-family>

**Limited Conservatorships:** <https://selfhelp.courts.ca.gov/notify-adult-disability-their-relatives-and-others>