
APPENDIX C

SAMPLE

INVENTORY AND APPRAISAL

A conservator of the estate prepares the Inventory and Appraisal described in Chapter 5, Section 6. This document lists all of the assets owned by the conservatee on the date that the conservator of the estate was appointed. It also states the value of each asset and the total value of all assets on that date.

The sample Inventory and Appraisal in this handbook has three pages:

1. A cover page
2. Attachment 1: Cash Assets
3. Attachment 2: Noncash Assets

The conservator must make a detailed list of all of the conservatee's assets as of the date of the conservator's appointment. The assets must be divided into two categories: cash assets and noncash assets. Cash assets include accounts in financial institutions such as banks, savings and loan associations, and credit unions; certificates of deposit; money-market funds; cash deposits in brokerage accounts; uncashed checks, drafts, or money orders dated before the date of your appointment payable to the conservatee; refund checks dated after the date of your appointment for taxes, utilities, Medicare, medical insurance and other health care reimbursements and payments; and currency. Noncash assets are everything else, including real estate, home furnishings, stocks and bonds, automobiles, jewelry, and artworks. If you have any questions concerning the proper appraisal category of any asset, ask your lawyer or check with the probate referee mentioned later in this appendix. **L**

As conservator of the estate, you must list the cash assets in Attachment 1 and the noncash assets in Attachment 2. Then fill in the value of each cash asset in Attachment 1 as of the date of your appointment (the date of the court's order appointing you conservator, not the date that your Letters were issued) and the total value of the Attachment 1 assets on line 1 under "Appraisals" on the cover page. If there are noncash assets, you must send the partially completed Inventory and Appraisal to the probate referee assigned by the court when you were appointed so the referee can appraise those assets. If there are no noncash assets, the probate referee will not be involved.

Once the probate referee has finished his or her appraisal, he or she will return the original Inventory and Appraisal to you or to your lawyer, with the values of the noncash assets added in Attachment 2, and with the Declaration of Probate Referee on page 2 (the reverse side) of the cover page completed and signed. You or your lawyer must fill in the total of Attachment 2 on the cover page (and the total of Attachment 1 if you didn't do that before) and complete the rest of that page, and both of you must sign it. You then file the completed Inventory and Appraisal with the court and pay the probate referee's commission and expense bill shown in his or her declaration. This is a proper expense of administration payable from the conservatee's funds.

The deadline for filing the Inventory and Appraisal is 90 days after your appointment, so start work on this right away. Locating the conservatee's assets is the first step (see Chapter 5, Section 4). The second step is to list the assets on Attachments 1 and 2. The third step is to send the Inventory and Appraisal cover page and the attachments to the probate referee.

You need to allow time for the probate referee to complete the appraisal of the noncash assets in Attachment 2 and to return the completed appraisal, signed by him or her, to you or to your lawyer. Allow four to six weeks for this step.

Remember to list and describe assets on Attachment 1 or 2 that the conservatee owned *on the date of your appointment*. However, do *not* list

- Money spent or received after the date of your appointment
- The conservatee's wages (if the conservatee is working, wages must be paid directly to the conservatee as if the conservatorship did not exist)
- Property the conservatee owns outside of California

The sample Inventory and Appraisal follows, showing Attachment 1 assets appraised by the conservator, and Attachment 2 assets listed but not yet appraised. This is the way the Inventory and Appraisal looks when it is sent to the probate referee for his or her appraisal of the Attachment 2 assets.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Jared Roberts, State Bar #123456 Attorney at Law 16201 Financial Center Drive Santa Ana, CA 92705 ATTORNEY FOR (Name): David Lowry, Conservator	TELEPHONE AND FAX NOS.: (714) 555-3476 Fax (714) 555-3477	FOR COURT USE ONLY <div style="border: 1px solid black; padding: 5px; margin: 5px;"> Probate referee completes. </div> <div style="border: 1px solid black; padding: 5px; margin: 5px;"> After probate referee's figure is put in, add items 1 and 2, and write total here. Note: You will need this figure to start your Account to the court. See Appendix D. </div>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Orange STREET ADDRESS: 341 The City Drive MAILING ADDRESS: 341 The City Drive CITY AND ZIP CODE: Orange, CA 92868-3209 BRANCH NAME: Lamoreaux Justice Center		
ESTATE OF (Name): Jeanne Lowry <input type="checkbox"/> DECEDENT <input checked="" type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR		
INVENTORY AND APPRAISAL <input type="checkbox"/> Partial No.: <input type="checkbox"/> Corrected <input checked="" type="checkbox"/> Final <input type="checkbox"/> Reappraisal for Sale <input type="checkbox"/> Supplemental <input type="checkbox"/> Property Tax Certificate		CASE NUMBER: A-396254 Date of Death of Decedent or of Appointment of Guardian or Conservator: March 8, 2000
APPRAISALS		
1. Total appraisal by representative, guardian, or conservator (Attachment 1):		\$ 56,794.59
2. Total appraisal by referee (Attachment 2):		\$
TOTAL: \$		

DECLARATION OF REPRESENTATIVE, GUARDIAN, CONSERVATOR, OR SMALL ESTATE CLAIMANT

3. Attachments 1 and 2 together with all prior inventories filed contain a true statement of all a portion of the estate that has come to my knowledge or possession, including particularly all money and all just claims the estate has against me. I have truly, honestly, and impartially appraised to the best of my ability each item set forth in Attachment 1.
4. No probate referee is required by order of the court dated (specify):
5. **Property tax certificate.** I certify that the requirements of Revenue and Taxation Code section 480
- a. are not applicable because the decedent owned no real property in California at the time of death.
- b. have been satisfied by the filing of a change of ownership statement with the county recorder or assessor of each county in California in which the decedent owned property at the time of death.

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

Date:

David Lowry

(TYPE OR PRINT NAME; INCLUDE TITLE IF CORPORATE OFFICER)

Conservator signs after probate referee returns this form.

(SIGNATURE)

STATEMENT ABOUT THE BOND

(Complete if required by local court rule)

6. Bond is waived, or the sole fiduciary is a corporate fiduciary or an exempt government agency.
7. Bond filed in the amount of: \$ Sufficient Insufficient
8. Receipts for: \$ _____ have been filed with the court for deposits in a blocked account at (specify institution and location):

Date:

Jared Roberts

(TYPE OR PRINT NAME)

Conservator's lawyer completes and signs this section.

(SIGNATURE OF ATTORNEY OR PARTY WITHOUT ATTORNEY)

(Continued on reverse)

ESTATE OF (Name): Jeanne Lowry	CASE NUMBER: A-396254
<input type="checkbox"/> DECEDENT <input checked="" type="checkbox"/> CONSERVATEE <input type="checkbox"/> MINOR	

DECLARATION OF PROBATE REFEREE

9. I have truly, honestly, and impartially appraised to the best of my ability each item set forth in Attachment 2.
10. A true account of my commission and expenses actually and necessarily incurred pursuant to my appointment is
- | | |
|------------------------------|-----------|
| Statutory commission: | \$ |
| Expenses (<i>specify</i>): | \$ |
| TOTAL: | \$ |

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

Date:

<p style="text-align: center;">..... (TYPE OR PRINT NAME)</p>	<div style="border: 1px solid black; padding: 5px; text-align: center; margin-bottom: 5px;"> <i>Probate referee completes and signs this section.</i> </div> <p style="text-align: center;">(SIGNATURE OF REFEREE)</p>
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INSTRUCTIONS

(See Probate Code sections 2610-2616, 8801, 8804, 8852, 8905, 8960, 8961, and 8963 for additional instructions.)

1. See Probate Code section 8850 for items to be included in the inventory.
2. If the minor or conservatee is or has been during the guardianship or conservatorship confined in a state hospital under the jurisdiction of the State Department of Mental Health or the State Department of Developmental Services, mail a copy to the director of the appropriate department in Sacramento (Prob. Code, § 2611).
3. The representative, guardian, conservator, or small estate claimant shall list on Attachment 1 and appraise as of the date of death of the decedent or date of appointment of the guardian or conservator at fair market value moneys, currency, cash items, bank accounts and amounts on deposit with each financial institution (as defined in Probate Code section 40), and the proceeds of life and accident insurance policies and retirement plans payable upon death in lump sum amounts to the estate, except items whose fair market value is, in the opinion of the representative, an amount different from the ostensible value or specified amount.
4. The representative, guardian, conservator, or small estate claimant shall list in Attachment 2 all other assets of the estate which shall be appraised by the referee.
5. If joint tenancy and other assets are listed for appraisal purposes only and not as part of the probate estate, they must be separately listed on additional attachments and their value excluded from the total valuation of Attachments 1 and 2.
6. Each attachment should conform to the format approved by the Judicial Council (see *Inventory and Appraisal Attachment* (form DE-161, GC-041) and Cal. Rules of Court, rule 201).

ESTATE OF (Name): ____ Jeanne Lowry	CASE NUMBER: A-396254
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**INVENTORY AND APPRAISAL
ATTACHMENT NO.: 1**

(In decedents' estates, attachments must conform to Probate Code section 8850(c) regarding community and separate property.)

Page: 1 of: 1 total pages.
(Add pages as required.)

<u>Item No.</u>	<u>Description</u>	<u>Appraised value</u>
1.	Cash found at 121 View Place, Newport Beach, California, conservatee's residence	\$ 250.00
2.	Balance in checking account No. 14655, Southern California Savings and Loan, 34900 Irvine Grove Blvd., Newport Beach, California 92660	7392.38
3.	Balance in savings account No. 14654, Southern California Savings and Loan, 34900 Irvine Grove Blvd., Newport Beach, California 92660	37,747.04
4.	Certificate of Deposit No. 1765432, Hometown Federal Bank, 900 Washington Blvd., Los Angeles, CA 90083, in the name of Jeanne Lowry and Marshall Lowry (deceased) as joint tenants	10,000.00
5.	Uncashed check from East Coast Teachers Pension Fund, dated 3/1/90, payable to conservatee	554.47
6.	Uncashed check from Social Security dated 3/1/90, payable to conservatee	498.00
7.	Uncashed dividend check from Safeguard Investment Mutual Fund, dated 3/2/90, payable to conservatee	352.70
TOTAL CASH ASSETS:		\$56,794.59

Conservator of the estate lists all cash assets and writes down their values.

ESTATE OF (Name): _____ Jeanne Lowry	CASE NUMBER: A-396254
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**INVENTORY AND APPRAISAL
ATTACHMENT NO.: 2**

(In decedents' estates, attachments must conform to Probate Code section 8850(c) regarding community and separate property.)

Page: 1 of: 1 total pages.
(Add pages as required.)

<u>Item No.</u>	<u>Description</u>	<u>Appraised value</u>
1.	Real property in the City of Newport Beach, County of Orange, State of California, described as Lot 36 in Block 420 of Tract 91, as per map recorded in Book 2 of Parcel Maps, page 42, in the office of the County Recorder of said county. This property is commonly known as 121 View Place, Newport Beach, California (improved with single family dwelling). Assessor's Parcel No. 3.	\$ _____
2.	Vacation home. Real property in the City of Palm Springs, County of Riverside, State of California, described as Lot 3 in Block 102 of Subdivision 82, as per map recorded in Book 43 of Maps, page 29, in the office of the County Recorder of said county. This property is commonly known as 2446 W. Sunburst, Palm Springs, California. Assessor's Parcel No. 18.3.	_____
3.	Household furniture and furnishings at 121 View Place, Newport Beach	_____
4.	1425 shares Safeguard Investment Mutual Fund	_____
5.	One \$50 U.S. Savings Bond, Series E, issued May 3, 1950	_____
6.	Seven \$100 U.S. Savings Bonds, Series EE, issued May 2, 1955	_____
7.	1994 Oldsmobile Cutlass Supreme, 2-door model, California vehicle license No. 822HUD	_____
8.	Diamond wedding ring (2 carat)	_____

	TOTAL NONCASH ASSETS: \$	=====

Conservator of the estate writes a detailed description of all noncash assets. Probate referee fills in appraised values.