

2-17-26 – Guardianship Calendar Tentative Rulings

NOTE: THE JUDICIAL ASSISTANT CANNOT EXPLAIN OR ANSWER ANY QUESTIONS REGARDING THE TENTATIVE RULINGS.

Advisements

1. Court Call is not permitted for this calendar.
2. The tentative rulings set forth below are those of a Court Commissioner appointed by the Presiding Judge to hear all matters on this Calendar. (Cal. Code of Civil Procedure § 259.) A Court Commissioner has the power to hear contested actions and proceedings and act as a temporary judge when otherwise qualified so to act and when appointed for that purpose, on stipulation of the parties litigant. (Cal. Code of Civil Procedure § 259(d).) In the absence of a stipulation of the parties, a Court Commissioner retains the power to hear and determine all uncontested actions and proceedings. (CCP § 259(g).)
3. Parties who do not object to the tentative ruling do not need to appear at the hearing unless the tentative ruling requires an appearance, or another party has requested a hearing. Parties who do not appear will be deemed to have stipulated to the matters at issue being determined by the Commissioner. If there is no appearance on a matter, the tentative ruling shall become the ruling of the Court on the day of the hearing.
4. Any party who does not wish a contested action or proceeding to be determined by the Commissioner or who otherwise wishes to be heard in response to the tentative ruling or to a petition must do the following:

Notify all other parties of an intent to appear for the purpose of responding to the tentative ruling or to request that the matter be heard by a regularly appointed or elected judicial officer; and notify the Commissioner's Judicial Assistant (707) 521-6726 or, if prompted, leave a brief message which includes the case name and number and identifies the party requesting oral argument or a continuance so the matter may be heard by a regularly appointed or elected judicial officer.
5. Notifications to the court, all attorneys, and all unrepresented parties must be completed no later than 4:00 p.m. on the day immediately preceding the day of the hearing. Failure to provide the required notifications will be deemed an agreement to the adoption of the tentative ruling by the Commissioner. In the absence of the required notifications, oral argument will not be permitted.

To Join Department 5 “Zoom” Online

- Use the Zoom video conferencing software application or, alternatively, a web browser of your choice to navigate to the following URL/web address on the World Wide Web: <https://zoom.us/join>

When prompted, enter the following information:

- Meeting ID: 161 844 9166
- Password: **309650**

To Join Department 5 “Zoom” By Phone:

- Call 1-669-254-5252 (San Jose) and enter same meeting ID and password as listed above.

Guide for Participating in Court Proceedings via Zoom for Dept 5:

- After joining the meeting and checking in with the clerk, **please mute your audio** when not speaking. This helps keep background noise to a minimum.
- **Be mindful of background noise** when your microphone is not muted. Avoid activities that could create additional noise, such as shuffling papers.
- **Position your camera properly** if you choose to use a web camera. Be sure it is in a stable position and focused at eye level, if possible. Make sure everything visible in the frame is appropriate for an appearance in court.
- If a confidential session becomes necessary it is incumbent on you to ensure you are able to **participate from a private location** so that unauthorized people cannot overhear or see the proceedings.
- **Chat is enabled** for the sharing of documents among participants and the court and to allow attorneys to communicate individually with each other or their clients only. No chat messages should be sent privately to the court as it would amount to an unauthorized ex parte communication. Neither should chat messages be sent to all participants unless directed by the court.
- **The recording function has been disabled.** Remember, the prohibition against recording court proceedings, even remote ones, remains.
- **Be patient.** Check in will take more time and the experience from those who have tried this before is that proceedings are a little slower generally.

1. Guardianship of Amelia D., 25PR01434

TENTATIVE RULING:

Appearances are not required. Absent objection, the Petition for Guardianship is GRANTED and the Court will sign the proposed order submitted by Petitioner(s).

Petitioner/Guardian is directed to file the Confidential Guardianship Status Report, GC-251, within one year and 30 days from the date of the order granting the Petition for Guardianship, and annually thereafter. (Form GC-251 is available at the following URL: <https://www.courts.ca.gov/forms.htm>) To ensure compliance with the requirement of an annual GC-251, this matter is set for Case Management Conference at 9:00 a.m. on March 2, 2027, in Department 5. If the Guardian has at that time filed the required GC-251, an appearance will be waived, and a new hearing date shall be set for one year out for the filing of the annual Status Report.

Further advisements which are not part of tentative ruling: If any objections are filed at or before the time of hearing, the Court will not adopt the tentative ruling and will, instead, set the matter for a contested hearing and the parties will be notified by the Court as to when they should next appear.

2. Guardianship of Eliana C., 25PR01304

TENTATIVE RULING:

Appearances are not required. Absent objection, the Petition for Guardianship is GRANTED and the Court will sign the proposed order submitted by Petitioner(s).

Petitioner/Guardian is directed to file the Confidential Guardianship Status Report, GC-251, within one year and 30 days from the date of the order granting the Petition for Guardianship, and annually thereafter. (Form GC-251 is available at the following URL: <https://www.courts.ca.gov/forms.htm>) To ensure compliance with the requirement of an annual GC-251, this matter is set for Case Management Conference at 9:00 a.m. on March 2, 2027, in Department 5. If the Guardian has at that time filed the required GC-251, an appearance will be waived and a new hearing date shall be set for one year out for the filing of the annual Status Report.

Further advisements which are not part of tentative ruling: If any objections are filed at or before the time of hearing, the Court will not adopt the tentative ruling and will, instead, set the matter for a contested hearing and the parties will be notified by the Court as to when they should next appear.

3. Guardianship of Daniella S., SPR093789

TENTATIVE RULING:

Appearances are not required. Absent objection, the Third Account and report are approved, and the Court will sign the proposed order submitted by Petitioner(s).

This matter is set for review of the status of the accounting on Tuesday, August 3, 2027, at 9:30 a.m. in Department 5. If the fourth account and report has been filed, no appearance shall be required.

Further advisements which are not part of tentative ruling: If any objections are filed at or before the time of hearing, the Court will not adopt the tentative ruling and will, instead, set the matter for a contested hearing and the parties will be notified by the Court as to when they should next appear.

End of Tentative Rulings