

PROBATE EXAMINER

DEFINITION

Under direction, the Court Probate Examiner will examine files and documents in matters of routine Probate law; verify proper form, content, accuracy, and procedural requirements for compliance with statutes and local rules; prepare analyses and reviews for judicial officers; and complete other duties as assigned by the San Luis Obispo Superior Court.

DISTINGUISHING CHARACTERISTICS

This is a single level professional class responsible for assisting with planning, organizing and coordinating the activities of the probate services unit. Technical, procedural and legal review is completed by the Court Probate Examiner to ensure that routine Probate law matters before the court have proper notice and complete documents for a court ruling. The incumbent operates with a high level of independence within the tasks assigned.

TYPICAL TASKS

The following examples are intended to describe the general nature and level of work performed by personnel assigned to this classification. The Court Probate Examiner may not perform all the duties listed below, nor are the duties described intended to be an exhaustive list of all duties, responsibilities and skills required of personnel so classified.

- Reviews guardianship, conservatorship, wills, trust and decedent estate probate cases by examining pleadings and other documents for sufficiency as to form, content and procedural requirements of the statutes, court rules, and policy; identifies legal deficiencies, and recommends rulings to the court.
- Summarizes petitions, replies, objections, and responses for use by a judicial officer.
- Publishes concise Probate Notes that are posted publicly and that the court consults; updates Probate Notes prior to the hearing and reports updates to the judicial officer in a time-sensitive environment.
- Reviews routine proposed orders submitted to the court for accuracy; makes recommendations to the court regarding signature.
- Reviews bond for compliance with statutes and court orders; reviews Ex parte Petition for Discharge; reviews creditor claims submitted for court approval; makes recommendations to the court regarding signature on these items.
- Coordinates with court staff to set matters on calendar for hearing: all accounts, OSC's and other matters as appropriate.

EMPLOYMENT STANDARDS

Knowledge of:

- Provisions of the California Probate Code, Code of Civil Procedure, California Rules of Court, the Superior Court of California, County of San Luis Obispo Local Rules and other statutes relevant to document examination for probate cases
- Legal terminology and pleadings relevant to probate cases
- Probate form documents and procedures pertaining to case evaluation and processing
- Basic probate accounting requirements
- Basic understanding of financial investments/transactions
- Personal computers and software applicable to probate case analysis

Ability to:

- Discuss routine legal issues with judicial officers and administrative personnel
- Function as a team member on projects with colleagues, judicial officers, and other professionals
- Work in an environment that includes frequent interruptions, simultaneous attention to multiple tasks and meeting legally established deadlines
- Set priorities and allocate resources to meet the needs of the Court in a timely and effective manner
- Maintain confidentiality of Court documents and records
- Examine and determine if the contents of probate files are consistent with statutory procedural requirements
- Recognize and respect limits of authority
- Identify need for judicial action
- Formulate and present sound recommendations
- Present results of investigations orally and in writing
- Understand, interpret, and apply pertinent provisions of laws and local court rules governing area of assignment

PHYSICAL CHARACTERISTICS

- Strength, dexterity, coordination and vision to use a keyboard and video display terminal on a daily basis
- Hearing sufficient to communicate effectively in an office, a Courtroom environment, and with the public and Court staff
- Dexterity and coordination to handle files and single pieces of paper
- Personal mobility to:
 - work in various office and Courtroom locations
 - move objects weighing up to 10 pounds such as files, stacks of papers, reference and other materials
 - move from place to place within an office
 - sit and/or stand for prolonged periods of time

EXPERIENCE/EDUCATION

Minimum Requirements under California Rules of Court, rule 10.777(c) for a Probate Examiner:

1. A bachelor of arts or bachelor of science degree from an accredited educational institution **AND** a minimum of two years' employment experience with one or more of the following employers:
 - a. A court
 - b. A public or private law office
 - c. A public administrator, public guardian, public conservator, or private professional fiduciary **OR**
2. A paralegal certificate or an Associate of Arts degree from an accredited educational institution **AND** a minimum of a total of four years' employment experience with one or more of the employers listed in (1) **OR**
3. A juris doctor degree from an educational institution approved by the American Bar Association or accredited by the Committee of Bar Examiners of the State Bar of California **AND** a minimum of six months' employment experience with an employer listed in (1)

ADDITIONAL REQUIREMENTS

Must possess a valid class "C" California driver's license