



The Impact of Recent Trust & Estate Case Law Being Developed in Non-Probate Court Forums

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Introduction

California has a sophisticated, well-developed body of case law and statutory authorities, supplemented by detailed procedural court rules, which empower the judges of the Superior Court assigned to handle probate matters (i.e., “Probate Court”) effectuate the legal principles inherited from the common law with respect to the administration of decedent’s estate, trusts, and personal protective proceedings. This is generally referred to as “probate law.”

California also has a similar set of legal principles arising under the domestic relations laws (i.e., Family Law). And the United States in general has a similar set of legal principles arising under the bankruptcy laws.

The underlying principles that guide the application of law to fact often differs between these various court systems.

What is the impact of recent trust and estate case law arising from non-Probate Court forums, that is, the Family Law court system or the bankruptcy courts?

PROBATE COURT

What is Probate Court? Where did it come from? Why does it exist?

Well, back in England, probate court jurisdiction began in the separate Ecclesiastical court system and the equitable Courts of Chancery. The early probate courts in North America exercised equity jurisdiction as devolved from those systems. Modern counterparts of these equity courts are variously referred to as chancery, probate, surrogate, and orphan's courts. Typically, a judge within a court of broader jurisdiction would typically be given responsibility for traditional probate cases (usually in addition to other duties) notwithstanding the judge's background or expertise, with the hope of expediting the handling of these types of probate proceedings.

But traditional probate cases (i.e., administration of decedent's estate proceedings) is not the entirety of what happens in "probate court." Over time, the probate caseload came to encompass matters beyond the scope of typical decedents' estates, including such matters as trusts, conservatorships, and guardianships and other protective proceedings. Consequently, the caseload became sufficiently large to necessitate the assignment of full-time probate judges or the establishment of a separate probate court in some jurisdictions.

PROBATE COURT - CALIFORNIA

Superior courts have original jurisdiction over probate matters. California Constitution, Art VI, §10.

The common law applicable to such matters has been codified in California's Probate Code.

Hence, in California, when a judicial officer is acting under the authority of California's Probate Code, the Superior Court is generally referred to as the "**Probate Court**" even though a separate court system does not exist. When the Superior Court is divided into departments, a judge of the Superior Court sitting in probate is simply one department. See, E.g., *Guardianship of Kemp* (1974) 43 Cal.App.3d 758, 761.

Similarly, when a judicial officer is acting under the authority of California's Family Code, the Superior Court is generally referred to as "Family Law Court" (i.e., "Family Court").

PROBATE COURT - ESTATES

WILLS and DECEDENT'S ESTATE ADMINISTRATION

Probate Code §800: *The court in proceedings under this code is a court of general jurisdiction and the court, or a judge of the court, has the same power and authority with respect to the proceedings as otherwise provided by law for a superior court, or a judge of the superior court, including, but not limited to, the matters authorized by Section 128 of the Code of Civil Procedure.*

Probate Code §7050: *The superior court has jurisdiction of proceedings under this code concerning the administration of the decedent's estate.*

PROBATE COURT - TRUSTS

TRUSTS

Probate Code §17000:

(a) *The superior court having jurisdiction over the trust pursuant to this part has exclusive jurisdiction of proceedings concerning the internal affairs of trusts.*

(b) *The superior court having jurisdiction over the trust pursuant to this part has concurrent jurisdiction of the following:*

- (1) *Actions and proceedings to determine the existence of trusts.*
- (2) *Actions and proceedings by or against creditors or debtors of trusts.*
- (3) *Other actions and proceedings involving trustees and third persons.*

Probate Code §17001: *In proceedings commenced pursuant to this division, the court is a court of general jurisdiction and has all the powers of the superior court.*

PROBATE COURT - TRUSTS

Probate Code §17003: *Subject to Section 17004:*

(a) By accepting the trusteeship of a trust having its principal place of administration in this state the trustee submits personally to the jurisdiction of the court under this division.

(b) To the extent of their interests in the trust, all beneficiaries of a trust having its principal place of administration in this state are subject to the jurisdiction of the court under this division.

Probate Code §17004: *The court may exercise jurisdiction in proceedings under this division on any basis permitted by Section 410.10 of the Code of Civil Procedure.*

Probate Code §15002: *Except to the extent that the common law rules governing trusts are modified by statute, the common law as to trusts is the law of this state.*

PROBATE COURT - OTHER

Conservatorships and Guardianships

Probate Code §2200:

- (a) *The superior court has jurisdiction of guardianship and conservatorship proceedings.*
- (b) *Chapter 8 (commencing with Section 1980) of Part 3 governs which state has jurisdiction of a conservatorship proceeding.*

Probate Code §2205:

- (a) *Except as provided in Section 304 of the Welfare and Institutions Code, and subject to the provisions specified in subdivision (b), upon the filing of an order appointing a guardian of the person of a minor in a guardianship proceeding, including an order appointing a temporary guardian of the person of the minor, the court in the guardianship proceeding shall have exclusive jurisdiction to determine all issues of custody or visitation of the minor until the guardianship proceeding is terminated.*
- (b) *This section is subject to the provisions of Sections 1510 of this code, and 8714, 8714.5, and 8802 of the Family Code, relating to consolidation of guardianship and adoption proceedings and the court where the consolidated case is to be heard and decided.*

GUIDING PRINCIPLES – “INTENTION”



Probate Code §21101: *Unless the provision or context otherwise requires, this part applies to a will, trust, deed, and any other instrument.*

Probate Code §21102:

(a) *The **intention of the transferor** as expressed in the instrument controls the legal effect of the dispositions made in the instrument.*

(b) *The rules of construction in this part apply where the **intention of the transferor** is not indicated by the instrument.*

(c) *Nothing in this section limits the use of extrinsic evidence, to the extent otherwise authorized by law, to determine the intention of the transferor.*

Probate Code §21103: *The meaning and legal effect of a disposition in an instrument is determined by the local law of a particular state selected by the transferor in the instrument unless the application of that law is contrary to the rights of the surviving spouse to community and quasi-community property, to any other public policy of this state applicable to the disposition, or, in the case of a will, to Part 3 (commencing with Section 6500) of Division 6.*

❖ **The paramount rule in the interpretation of a testamentary instrument is that it must be construed according to the intention of the testator(s) as expressed therein. (*Estate of Kaila* (2001) 94 Cal.App.4th 1122, 1131; *Crook v. Contreras* (2002) 95 Cal.App.4th 1194, 1206)**

CONSTRUCTION (INTERPRETATION)

Probate Code §21120: *The words of an instrument are to receive an interpretation that will give every expression some effect, rather than one that will render any of the expressions inoperative. Preference is to be given to an interpretation of an instrument that will prevent intestacy or failure of a transfer, rather than one that will result in an intestacy or failure of a transfer.*

Probate Code §21121: *All parts of an instrument are to be construed in relation to each other and so as, if possible, to form a consistent whole. If the meaning of any part of an instrument is ambiguous or doubtful, it may be explained by any reference to or recital of that part in another part of the instrument.*

Probate Code §21122: *The words of an instrument are to be given their ordinary and grammatical meaning unless the intention to use them in another sense is clear and their intended meaning can be ascertained. Technical words are not necessary to give effect to a disposition in an instrument. Technical words are to be considered as having been used in their technical sense unless (a) the context clearly indicates a contrary intention or (b) it satisfactorily appears that the instrument was drawn solely by the transferor and that the transferor was unacquainted with the technical sense.*

PROBATE COURT REMEDIES

ADMINISTRATION OF DECEDENT'S ESTATES:

The Superior Court sitting in probate (i.e., 'Probate Court') has such incidental powers as are necessary to enable the court to exercise any of the powers expressly conferred on it. See *Bennett v. Forrest* (1944) 24 Cal.2d 485, 493; *Dobbins v Title Guar. & Trust Co.* (1943) 22 Cal.2d 64.

TRUSTS:

The probate court has wide discretion to make any order and take any action necessary or proper to dispose of matters presented by a trust petition. See Probate Code §17206.

CONSERVATORSHIPS AND GUARDIANSHIPS:

Conservatorships and guardianships, like other proceedings under the Probate Code, are continuing proceedings; once the court has obtained or exercised its jurisdiction, then it has and retains jurisdiction to resolve all issues related thereto. See, E.g., *Estate of Beard* (1999) 71 Cal.App.4th 753, 772–73; *Bank of America v Superior Court* (1986) 181 Cal.App.3d 705, 717–718.

FAMILY LAW COURT



Among other purposes, the “**Family Law Court**” is a court of equity specially designed to effectuate the reasonable and orderly dissolution of a marriage, thereby achieving fairness and equity as to the relations of the spouses, their property, their children, and their domestic harmony, as well as the termination of those relations. Consequently, the superior court sitting as a “Family Law Court” has jurisdiction to inquire into and render such judgments and make such orders as are appropriate concerning the status of a marriage, the custody and support of minor children of the marriage, the support of either party, the settlement of the property rights of the parties, and the award of attorney's fees and costs.

- The superior courts have exclusive jurisdiction over all proceedings for judgments of dissolution and legal separation. See Family Code §§ 200 & 2010. (*In re Marriage of Lackey* (1983) 143 Cal.App.3d 698, 707)
- “Family law court is a court of equity.” (*In re Marriage of Calcaterra & Badakhsh* (2005) 132 Cal.App.4th 28, 38)
- “The family law court is a court of equity and fairness.” (*In re Marriage of Boswell*, 225 Cal.App.4th 1172, 1174)
- “Family law cases are equitable proceedings in which the court must have the ability to exercise discretion to achieve fairness and equity.” (*In re Marriage of Egedi* (2001) 88 Cal.App.4th 17, 22–23)

BANKRUPTCY COURT

Article I, Section 8, of the United States Constitution authorizes Congress to enact “uniform Laws on the subject of Bankruptcies.” Under this grant of authority, Congress has enacted several versions of the “Bankruptcy Code.” The United States Bankruptcy Code (U.S.B.C.), which is codified as Title 11 of the United States Code (11 U.S.C. §§101 et seq.), has been amended several times since its enactment. It is the uniform federal law that governs all bankruptcy cases.

The court official with decision-making power over federal bankruptcy cases is the United States Bankruptcy Judge, a subordinate judicial officer assigned as a unit of the United States District Court.

The bankruptcy judge may decide any matter connected with a bankruptcy case, such as eligibility to file or whether a debtor should receive a discharge of debts.

Much of the bankruptcy process is administrative, however, and is conducted away from the courthouse. In cases under Chapters 7, 12, or 13, and sometimes in Chapter 11 cases, this administrative process is carried out by a “trustee” who is appointed to oversee the case.

BANKRUPTCY COURT



A fundamental goal of the federal bankruptcy laws enacted by Congress is to give debtors a financial "fresh start" from burdensome debts. The Supreme Court of the United States made this point about the purpose of the bankruptcy law in a 1934 decision:

[I]t gives to the honest but unfortunate debtor...a new opportunity in life and a clear field for future effort, unhampered by the pressure and discouragement of preexisting debt.

Local Loan Co. v. Hunt (1934) 292 U.S. 234, 244. This goal is accomplished through the bankruptcy discharge, which releases debtors from personal liability from specific debts and prohibits creditors from ever taking any action against the debtor to collect those debts. Depending upon the specific chapter of the Bankruptcy Code, there may be attempts to utilize powers afforded to the trustee or the debtor to more equitably shoulder the burdens of the nonpayment of debt upon all creditors and interested persons, i.e., recovery of preferential payments, avoidance of preferential liens, recovery of fraudulent transfers, lien-stripping, etc. One critical power afforded to bankruptcy trustees is the power to assert avoidance rights as a "hypothetical judgment creditor" with an unsatisfied interest in a judgment debtor's assets.

BANKRUPTCY COURT

Chapter 7 - Liquidation: This contemplates an orderly, court-supervised procedure by which an appointed Chapter 7 trustee takes over the assets of the debtor's estate, reduces them to cash, and makes distributions to creditors, subject to the debtor's right to retain certain exempt property and the rights of secured creditors. Because there is usually little or no nonexempt property in most Chapter 7 cases, there may not be an actual liquidation of the debtor's assets. These cases are called "no-asset cases." A creditor holding an unsecured claim will get a distribution from the bankruptcy estate only if the case is an asset case and the creditor files a proof of claim with the bankruptcy court. In most Chapter 7 cases, if the debtor is an individual, he or she receives a **discharge** that releases him or her from personal liability for certain dischargeable debts. Secured claims are normally unaffected by the liquidation process. The debtor normally receives a discharge just a few months after the petition is filed.

Recent amendments to the Bankruptcy Code require the application of a "means test" to determine whether individual consumer debtors qualify for relief under chapter 7. If such a debtor's income is in excess of certain designated thresholds, the debtor may not be eligible for Chapter 7 relief.

BANKRUPTCY COURT

Chapter 13 - Adjustment of Debts of an Individual With Regular Income: This is designed for an individual debtor who has a regular source of income. Chapter 13 is often preferable to Chapter 7 because it enables the debtor to keep valuable assets, such as their home, and **by imposing a court-supervised process to redistribute the debtor's excess income and pay down allowed creditor claims consistent with a fair and reasonable "plan" to repay creditors over time – usually 3 years but not exceeding 5 years.** Chapter 13 is also used by consumer debtors who do not qualify for chapter 7 relief under the means test. At a confirmation hearing, the court appoints a Chapter 13 trustee and thereafter either approves or disapproves the debtor's repayment plan, depending on whether it meets the Bankruptcy Code's requirements for confirmation. Chapter 13 is very different from Chapter 7 since the Chapter 13 debtor usually remains in possession of the property of the estate and makes payments to creditors, through the trustee, based on the debtor's anticipated income over the life of the plan. Unlike Chapter 7, the debtor does not receive an immediate discharge of debts. The debtor must complete the payments required under the plan before the discharge is received. The debtor is protected from lawsuits, garnishments, and other creditor actions while the plan is in effect. The discharge is also somewhat broader (i.e., more debts are eliminated) under Chapter 13 than the discharge under Chapter 7.

Recent Case Law Developments

➤ *“I Give Up...I’m Broke”*

- *In re Nolan* (Bankr. C.D.Cal. July 21, 2020) 618 B.R. 860, 2020 WL 4462999, 2020 Bankr.Lexis 1932 (“**Nolan**”)

➤ *“Confounding Presumptions”*

- *In re Brace (Speier v. Brace)* (Cal. July 23, 2020) 9 Cal.5th 903, 2020 WL 4211750, 2020 Cal.Lexis 4642 (“**Brace**”)

“I Give Up...I’m Broke”

In re Nolan (Bankr. C.D.Cal. July 21, 2020) 618 B.R. 860 (“**Nolan**”)

- California offers both an automatic homestead and a declared homestead under Code of Civil Procedure §§704.720 & 704.920 to shelter equity in a debtor’s dwelling. The automatic homestead exemption protects a debtor from involuntary judicial sales of a debtor's dwelling. The benefits of an automatic homestead are available to all California residents who meet homestead property qualifications and offers the same value of asset protection as a declared homestead. A declared homestead, however, allows Californians additional benefits, such as protection of voluntary sale proceeds from creditors. This choice is opt-in only, and a declaration of homestead must be recorded before a creditor’s lien becomes effective.
- The Debtor was the trustee of his father’s trust, which had become irrevocable upon the father’s death. The trust mandated (“shall divide”) that the trustee divide the assets and distribute them to the beneficiaries entitled to receive those assets—the Debtor and his sibling. After the trust became irrevocable, but before distribution of the trust assets, the Debtor filed for bankruptcy relief under Chapter 7. Conflict subsequently arose with the Chapter 7 Trustee.
- **Here, the Debtor was entitled to assert an automatic homestead exemption in property even though his interest in title to the property was as a beneficiary of an irrevocable trust, because the Debtor met his burden to demonstrate that his beneficial interest, coupled with his actual residency in the property, was reachable (indirectly and hypothetically) by a judgment creditor.**

“I Give Up...I’m Broke”

QUOTATION: “...under the unique facts of this case, joined with a review of the applicable statutes, the legislative history and policy behind the California homestead exemption statutes, and in anticipation of how the California Supreme Court would rule were this question to be presented to it, Debtor has met his burden to demonstrate that Debtor's beneficiary interest, coupled with his residency in the Property, is reachable by judgment creditors, thus entitling debtor to claim the automatic homestead exemption.” **Nolan**, 618 B.R. at 682.

- No direct case precedent from the California Supreme Court or Courts of Appeal. Most practitioners would have concluded that a homestead is available to protect a debtor’s interest in property only to the extent that the debtor holds title (either directly or indirectly through a revocable trust). The bankruptcy court noted that, while the declared homestead statute excludes the interest of a debtor-beneficiary in a trust, the automatic homestead does not. The Bankruptcy Court determined that the automatic homestead exemption does not limit the type of interest that may be protected, and therefore it may apply to any interest constituting a debtor’s dwelling that would be reachable directly or indirectly by action of a judgment creditor.
- Here, the trust was irrevocable and was ready for distribution to the beneficiaries. But this case arose in a dispute between a debtor-beneficiary in a Chapter 7 liquidation, not a dispute concerning the internal affairs of a trust in Probate Court. As previously mentioned, **the bankruptcy trustee, standing as a hypothetical lien creditor pursuant to 11 U.S.C. §544**, may reach a debtor’s beneficial interests by the procedure set forth in Code of Civil Procedure §709.010.

“I Give Up...I’m Broke”

- Would the result have been different if the dispute were heard in Probate Court?
 - The interests of a judgment debtor beneficiary in a trust are not generally reachable by creditors but only by way of **discretionary, special enforcement mechanisms**. See, E.g., Code of Civil Procedure §709.010.
 - Isn’t an interest in a trust deemed to be **personal property**, not real property?
 - The trustee might have needed to sell the property to satisfy **administrative or priority claims**, rather than distribute to the beneficiaries, and if so, does this change the analysis?
 - By creating an irrevocable trust under these circumstances, did the trustor **intend** to keep the interests of the beneficiaries from vesting until time of actual receipt of distribution? See, E.g., *Seymour v. McAvoy* (1898) 121 Cal. 438, 442 (spendthrift protections may be presumed even without explicit trust language).

- Judicial Policy: Would it have mattered if the policy guiding the court or judicial officer was to simply “effectuate testator/trustor intent” rather than struggling to find a way to benefit the “honest but unfortunate debtor with a new opportunity in life and a clear field for future effort, unhampered by the pressure and discouragement of preexisting debt” and to “equitably apportion the burdens of the debtor’s nonpayment of debt”?

PECULIAR FACT: After their father’s death, the Debtor and his brother were involved in litigation in the Probate Court, including contested petitions to compel accountings, removal of trustee, etc. It appears that it was the burden of the Probate Court litigation, combined with other economic factors, which pushed the Debtor into bankruptcy.

NOTE: Consequently, any possessory interest in a dwelling may be subject to the automatic homestead exemption, such as life estates, unrecorded beneficial interests, leaseholds, and even those with colorable claims to ownership despite pre-petition lien foreclosure sales – so long as there is a pre-lien, continuous residency in the dwelling and the debtor’s interest therein could directly or indirectly be subject to creditor action. *Nolan*, 618 B.R. at 868-869.

“Confounding Presumptions”

In re Brace (Speier v. Brace) (Cal. July 23, 2020) 9 Cal.5th 903 (“**Brace**”)

- The Ninth Circuit Court of Appeal, on appeal from underlying Bankruptcy Court determinations, certified this question to the California Supreme Court:

Does the form of title presumption set forth in section 662 of the California Evidence Code overcome the community property presumption set forth in section 760 of the California Family Code in Chapter 7 bankruptcy cases where: (1) the debtor husband and non-debtor wife acquire property from a third party as joint tenants; (2) the deed to that property conveys the property at issue to the debtor husband and non-debtor wife as joint tenants; and (3) the interests of the debtor and non-debtor spouse are aligned against the trustee of the bankruptcy estate?

- The issue was whether the debtor’s act of taking title to the real properties as a joint tenant with his spouse rebuts the community property presumption or qualifies as an effective transmutation.

“Confounding Presumptions”

- Titled property, including real property, is subject to the presumption that ownership of the property is as set forth in the instrument of title. See Evidence Code §662 (the “Form of Title Presumption”).
- However, in family law, title is not determinative of the character of property as separate or community. Instead, a system of presumptions is employed in characterizing the property of married persons and RDPs. Generally, all property acquired during a marriage (or a registered domestic partnership) is presumed to be community property. See Family Code §760 (the “Community Property Presumption”).
- Consequently, prior to **Brace**, it was generally understood that when non-gift property is acquired from a third-party during marriage, the Community Property Presumption applies rather than the Form of Title Presumption. See *Marriage of Valli* (2014) 58 Cal.4th 1396, 1405 (life insurance policy purchased with community funds but titled in name of one spouse was properly characterized as community property in marital dissolution proceedings because the Community Property Presumption under Family Code §760 applied rather than the Form of Title Presumption under Evidence Code §662).

“Confounding Presumptions”

In **Brace**, the California Supreme Court’s lengthy (**45 pages!**) opinion focused on the important Family Law aspects of the certified question given to it by the Ninth Circuit Court of Appeal. In summary, it held:

- The Form of Title Presumption in Evidence Code §662 does not apply when it conflicts with the Community Property Presumption of Family Code §760.
- Property acquired by spouses as joint tenants, with community funds, before January 1, 1975, is presumed to be the spouses’ respective separate property.
- Property acquired by spouses as joint tenants, with community funds, on or after January 1, 1975, is presumed to be the spouses’ community property.
- A grant deed from a third party, in and of itself, is not sufficient to overcome the Community Property Presumption. What is required to overcome the presumption depends on whether the property was acquired before or after January 1, 1985:
 - If the property was acquired before January 1, 1985, the Community Property Presumption may be rebutted by substantial evidence of an oral or written agreement or a common understanding between the spouses, and a court may consider the fact that title was taken as joint tenants as part of its determination as to whether such an agreement or understanding existed; OR
 - If the property was acquired on or after January 1, 1985, then compliance is required with Family Code §852’s requirement for written transmutation acknowledgments and a grant deed, in and of itself, is not sufficient to transmute community property into separate property.

“Confounding Presumptions”

- ❖ The **Brace** answers a certified question presented by a federal appellate court ruling on bankruptcy issues. It therefore has significant impacts when spouses, who have previously purchased real property in California, while married, and taken title thereto as joint tenants, seek bankruptcy relief. If only one but not both spouses should file for bankruptcy, the issue of community property versus separate property makes the difference as to whether the bankruptcy estate is entitled to all (100%) or only half (50%) of that property.
- ❖ The **Brace** ruling appears to be primarily motivated by traditional Family Law concerns of protecting and preserving joint marital interests for the benefit of both spouses (i.e., a reasonable and orderly dissolution of the marriage respecting each spouse’s contributions). Historically, when spouses purchased a home in California, they would take title as joint tenants so that, if one spouse should die, the ownership interest of the deceased spouse automatically vests in the surviving spouse. This “right of survivorship” is convenient because it avoids the need for probate proceedings. But if the joint tenancy is given full effect, then each spouse separately owns a one-half (50%) undivided interest in that property and, further, each spouse has the power to transfer his or her one-half interest without the other spouse’s consent. The state has enacted new forms of holding title, such as “community property with right of survivorship,” to avoid harsh results. ***Some commentators believe that the Supreme Court’s ruling in Brace was motivated by a desire to create a system to conform to the presumed intentions (expectations?) of those spouses when buying marital property as joint tenants.***

“Confounding Presumptions”

- But a little noticed portion of the ruling by the Supreme Court in *Brace* holds that the **Form of Title Presumption (Evidence Code §662) applies at death of a spouse even though certain Family Law doctrines and presumptions (i.e., the Community Property Presumption of Family Code §760) would apply in a different context.** When a Court is not dealing with a marital dissolution action, but rather the administration of a probate estate, the Court applies the well-established rule that ‘form of title controls at death.’ Hence, the general Community Property Presumption (Family Code §760) and the Form of Title Presumption (Evidence Code §662) may appropriately coexist under California Law. See *Brace*, 9 Cal.5th at 933-934.
- The *Brace* fact pattern provided from the underlying bankruptcy proceeding did not include the death of a spouse. **Is this portion of *Brace* dicta?**
- Why would there need to be different presumptions for post-mortem administration versus divorce cases? What policy is being effectuated? According to *Brace*, upon the death of a spouse, we look to the form of title to the subject property (i.e., Evidence Code §662) to decide who owns an interest in the asset and whether something is community versus separate property. **Does this effectuate the intent of the deceased spouse as set forth in the instrument of title. Why would this policy also not be appropriate to apply in the context of bankruptcy?**

Your Guess is as Good as Mine

- *Carmack v. Reynolds* (Cal. 2017) 2 Cal.5th 844 **and** *Blech v. Blech* (Cal.App. Aug. 15, 2019) 38 Cal.App.5th 941 (interpreting and applying new construction to California's Probate Code provisions re spendthrift provisions)
- *Safarian v. Govgossian* (Cal.App. Apr. 21, 2020) 47 Cal.App.5th 1053 (judgment debtors of a married couple did not have standing to challenge the validity of the couple's marital property agreement)

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