

JOHN E. MARTINELLI

JUDGE



FRANK S. LOMBARDI

CLERK

JULIA M. ROLLINS

DEPUTY CLERK

**PROBATE COURT OF THE CITY OF PROVIDENCE
RHODE ISLAND**

January 24, 2001

To The Honorable Vincent A. Cianci, Mayor and
The Honorable Council of the City of Providence

I hereby submit the annual report of the operations of the Probate Court of the City of Providence for the fiscal year beginning July 1, 1999 and ending June 30, 2000.

The cash receipts for this period dramatically increased to \$254,632.92, representing a 20% increase or \$41,649.44 for the previous period. Our collections for the period of July 1, 2000 to December 31, 2000 did experience a decrease to \$114,125.31, but this figure actually reflects the third highest collection total over the past twelve years.

If the receipts continue as in the past, I would anticipate that the receipts for the fiscal year ending June 30, 2001 to be between \$220,000.00 and \$225,000.00 also reflecting an anticipated increase.

While actual hearings on will petitions have slightly decreased from the previous year, the Court staff has seen an increase in the will filings. Such is the case with petitions for administration as well where, despite increased filings actual hearings decreased slightly. Additionally, the staff handled 13 custodianships, 2 conservatorships, as well as the admission of 8 foreign wills.

The Court has, once again, seen a proliferation of guardianships and the clerical responsibility associated therewith. The number of guardianships and temporary guardianships granted by the Court for this fiscal year increased to 96. In most cases these required special hearings. In addition thereto, the Court oversaw the filing of 197 status reports. This latter figure actually represents an underestimation since several status reports are filed by attorneys but never actually heard. Nonetheless, they must be processed by the staff. All numbers in the area of guardianships represent increases.

There were 104 name changes granted. In addition thereto, many were denied. The Court also heard 53 petitions for the sale of real estate filed by various executors, guardians and administrators. This figure represents a 25 % increase from the previous year. There were 566 miscellaneous petitions filed and granted or denied for various reasons.

Additionally under the State small estate process, Voluntary Informal Administration or Voluntary Informal Executor, the Court oversaw 25 VIE's and 31 VIA's. Under the old law, staff would not have been required to oversee small estates. Under the new law, 56 additional petitions had to be reviewed. Once again, this represents an increase of 54% from the previous year total of 37.

There were 372 inventories filed by the fiduciaries and the necessary fees calculated, collected and reflected in the total receipts of the year. It should be noted that each inventory is monitored individually by the Court staff to determine accuracy of the account and conformity to existing Court orders. The Court also saw an increase in inventories filed from the previous year's total of 331.

During the year, there were 197 accounts filed, processed and heard by the Court. There were 207 Affidavits of Completed Administration filed. Once again, the staff must monitor these accounts and affidavits individually for accuracy and statutory compliance.

There were 4 new registry accounts opened for absentees totaling \$223,969.67.

All of the above petitions were processed by the staff and advertised when required by statute. In addition, all petitions requiring a hearing were acted upon by the Judge or the Acting Judge, in his absence. Needless to say, the Court's responsibility with monitoring and accountability of all estates has kept our staff extremely busy.

The Court has continued its' tracking of pending estates. While the Court has continued with its' manual tracking system of monitoring guardianship estates for the filing of annual accounts and status reports, it has continued the process towards computerization. The staff has met with the City's computer people for a specialized Probate program.

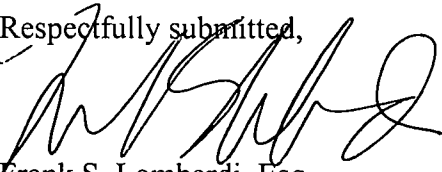
All registry accounts are currently computerized in two separate formats. This has facilitated the presentation of these accounts to the internal auditors. In short, auditors can be provided with "on the spot" current status of all registry accounts.

The ultimate goal is the installation of a program into our system and dissemination of the software to other Probate Courts throughout the State. Moreover, with computerization, timely filing of accounts will be facilitated through up-to-date communications with attorneys handling these pending files.

The Court continues to send out notices and orders regarding petitions which have been pending for a considerable time without activity. In addition, we order attorneys and/or fiduciaries to file inventories, accounts, status reports and/or pay bond premiums, when said fiduciaries have failed to comply with the applicable statutes. During this report period, we have sent citations and orders to various attorneys and fiduciaries. The automation of the Court has facilitated in the endeavor as well. Compliance by attorneys is the ultimate goal of the Court in this regard. We have seen a dramatic increase in accountability to our Court. We are proud of this accomplishment.

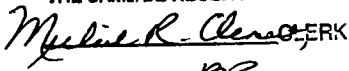
The Probate Court, as stated above, has taken action, sua sponte in all estate matters, in order to insure that the fiduciaries are complying with Rhode Island General Laws. Additionally, the staff has endeavored to ensure appropriate checks and balances with respect to Court bank accounts by forwarding all accounts to the City Collector while simultaneously internally reconciling these accounts. Accordingly, our workload continues in maintaining accurate reports of all financial accounts associated with our Court. The Probate Court is committed to further improvements in all of the above referenced areas.

Respectfully submitted,


Frank S. Lombardi, Esq.
Clerk

IN CITY COUNCIL
FEB 1 2001

READ
WHEREUPON IT IS ORDERED THAT
THE SAME BE RECEIVED.


Mylene R. Clerico, CLERK
