

JOHN E. MARTINELLI

JUDGE



FRANK S. LOMBARDI

CLERK

JULIA M. ROLLINS

DEPUTY CLERK

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

January 14, 2000

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, 1998 and ending June 30, 1999.

The cash receipts for this period amounted to \$212,983.48, an increase from the previous year of nearly \$13,000.00. Additionally, our collections for the period of July 1, 1999 to December 31, 1999 saw a significant increase of \$36,726.69. The collections for this period were \$132,962.63 up from \$96,235.94 for the previous year.

If the receipts continue as in the past, I would anticipate that the receipts for the fiscal year ending June 30, 2000 to be between \$218,000.00 and \$220,000.00 also reflecting an anticipated increase.

While actual hearings on will petitions has slightly decreased from the previous year of 263, 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 from 94 to 91. Accordingly, the increased proceeds received, referenced above, stems from the increase of the will filings. Additionally, the staff also handled 9 custodianships and 2 conservatorships as well as the admission of 5 foreign wills.

The Court has seen a proliferation of guardianships and the clerical responsibility associated therewith. The number of guardianships granted by the Court for this fiscal year was 93. In most cases these required special hearings. In addition thereto, the Court oversaw the filing of 186 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 121 name changes granted. In addition thereto, many were denied. The Court also heard 40 petitions for the sale of real estate filed by various executors, guardians and administrators. There were 557 miscellaneous petitions filed and granted or denied for various reasons.

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Additionally under the State law's new small estate process, Voluntary Informal Administration or Voluntary Informal Executor, the Court oversaw 19 VIE's and 18 VIA's. Under the old law, staff would not have been required to oversee small estates. Under the new law, 37 additional petitions had to be reviewed.

There were 331 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.

During the year, there were 224 accounts filed and processed by guardians, conservators, executors and administrators. There were 170 affidavits of completed administration filed. Once again, the staff must monitor these accounts individually for accuracy and statutory compliance.

There were 8 new registry accounts opened for absentees totaling \$37,502.03. There was 1 new registry account opened for a minor totaling \$8,882.35.

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. This past year has seen an increase of our computerized files.

All registry accounts, which dramatically increased, 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.

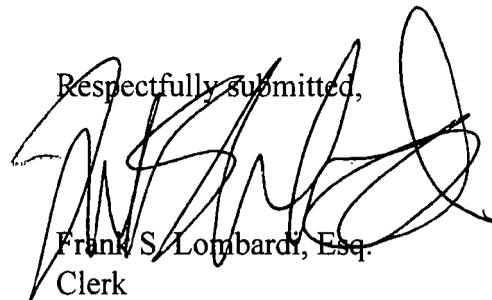
The ultimate goal is the installation of a program into our system and dissemination of the software to other Probate Courts throughout the State. Moreover, with computerization, timely filing of accounts will be facilitated through up-to-date communications with attorneys handling these pending files.

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 this 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 work load continues in maintaining accurate reports of all financial accounts associated with our Court. The Probate Court is committed to further improvements, despite being shortstaffed, in all of the above referenced areas.

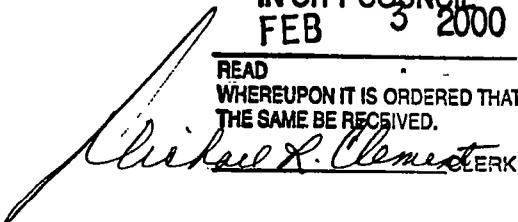
Respectfully submitted,



Frank S. Lombardi, Esq.
Clerk

IN CITY COUNCIL
FEB 3 2000

READ
WHEREUPON IT IS ORDERED THAT
THE SAME BE RECEIVED.



Michael D. Clement
CLERK