

Memorandum 88-26

Subject: Study L-3014 - Uniform Custodial Trust Act

Attached is a letter from Assembly Member Byron Sher. He recommends that the Commission consider the adoption of the Uniform Custodial Trust Act as a part of the overall review of California probate law.

This Uniform Act is now listed on the "back burner" of probate matters to be considered when work on the new Probate Code is substantially complete. The staff has planned to start staff work on this Uniform Act within the next month or so.

Should we advise Assembly Member Sher that the Commission will soon be reviewing the Uniform Act with a view to determining whether the Commission will recommend its enactment in California?

Respectfully submitted,

John H. DeMouilly
Executive Secretary

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February 25, 1988

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John DeMouly
Executive Director
California Law Revision Commission
4000 Middlefield Rd., Suite D-2
Palo Alto, CA 94303

Dear John:

I understand that the California Law Revision Commission is currently conducting a review of California's probate law. I am writing you to recommend that the Commission consider adoption of the Uniform Custodial Trust Act as part of the overall review.

As you know, the UCTA trust is similar in nature to a durable power of attorney. However, unlike the durable power of attorney, the UCTA trust can address the disposition of property after death -- a distinct advantage to many users. I believe that the trust may be useful for California residents, and I am eager to have it included in your ongoing review.

Thank you for your consideration of this request. I look forward to hearing from you.

Sincerely,



Byron D. Sher
Assembly member
21st District

BDS/pm

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