

c. Basis of Fee Awards

Fees awarded have not been uniform for seemingly identical kinds of services performed for different estates. For example, one attorney charged \$90 for securing an ex parte order to sell or purchase securities; another charged \$250 for the same service. Compare Fifth Accounting filed in the Estate of Grace Belardo Toro, Indio No. 937 (accounting period November 1, 1965, to October 3, 1966), with First Accounting filed in the Estate of Clarice Bow, Indio No. 1947 (accounting period February 7, 1966, to December 31, 1966). Charges for filing annual accountings have ranged from \$50 to \$500. Compare Fourth Accounting filed in the Estate of Darlene Marie Diaz, Indio No. 390 (accounting period May 6, 1966, to February 21, 1967), with Third Accounting filed in the Estate of Michael R. Milanovich, Indio No. 1378 (accounting period December 30, 1965, to December 31, 1966).

In our view state law and practice relating to the allowance of fiduciary and attorney fees in guardianships and conservatorships are wholly inadequate. Unlike the specific formulas and limitations set forth in the statutes for analogous fees in the administration of decedents' estates in California, the code provisions dealing with guardianships and conservatorships merely provide for "reasonable" fees. (Cal. Prob. Code, Sections 900-903; 910; 1556; 1556.1; and 1908). Consequently, the determination of fees in guardianships and conservatorships is left entirely to the discretion