



JUDICIAL COUNCIL OF CALIFORNIA

520 Capitol Mall, Suite 600 • Sacramento, California 95814-3368
Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

MARTIN HOSHINO
Administrative Director

CORY T. JASPERSON
Director, Governmental Affairs

June 15, 2022

Hon. Gavin Newsom
Governor of California
State Capitol, First Floor
Sacramento, California 95814

Subject: Assembly Bill 1745 (Nguyen) – Request for Signature

Dear Governor Newsom:

The Judicial Council respectfully requests your signature on AB 1745, which amends section 16061.8 of the Probate Code to clarify that the 120-day period in which to contest a trust only applies when a revocable trust becomes irrevocable upon the death of a settlor of the trust or because of a contingency related to the death of a settlor of the trust.

AB 1745 is consistent with the council's previous actions related to legislation addressing trusts, such as SB 333 (Anderson, Stats. 2017, ch. 61) which addressed beneficiaries' rights to modify a trust, and SB 1041 (Harman, Stats. 2010, ch. 106) which addressed evidence of a statement made by a declarant who is unavailable as a witness regarding the status of a revocable trust.

The current language of Probate Code section 16061.8, which AB 1745 amends, has been interpreted inconsistently within the courts and among probate specialists. AB 1745 would create certainty and consistency with regard to the timelines for contesting trusts.

For these reasons, the Judicial Council requests your signature on AB 1745.

Hon. Gavin Newsom

June 15, 2022

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Should you have any questions or require additional information, please contact Andi Liebenbaum at 916-323-3121.

Sincerely,



Cory T. Jasperson

Director, Governmental Affairs

CTJ/AL/yc-s

cc: Hon. Janet Nguyen, Assembly Member, 72nd District
Mr. Saul Bercovitch, Director of Governmental Affairs, California Lawyers Association
Ms. Jessica Devencenzi, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Martin Hoshino, Administrative Director, Judicial Council of California
Ms. Shelley Curran, Chief Policy & Research Officer, Judicial Council of California



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May 18, 2022

Hon. Thomas J. Umberg, Chair
Senate Judiciary Committee
1021 O Street, Room 3240
Sacramento, California 95814

Subject: Assembly Bill 1745 (Nguyen), as introduced – Support
Hearing: Senate Judiciary Committee – May 31, 2022

Dear Senator Umberg:

The Judicial Council supports AB 1745, which amends section 16061.8 of the Probate Code to clarify that the 120-day period in which to contest a trust only applies when a revocable trust becomes irrevocable upon the death of a settlor of the trust or because of a contingency related to the death of a settlor of the trust.

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The current language of Probate Code section 16061.8, which AB 1745 amends, has been interpreted inconsistently within the courts and among probate specialists. AB 1745 would create certainty with regard to the timelines for contesting trusts, thereby improving Probate Court efficiency and encouraging consistency in determining the timeliness of contests to trusts throughout the state.

For these reasons, the Judicial Council supports AB 1745.

Hon. Thomas J. Umberg

May 18, 2022

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Should you have any questions or require additional information, please contact Andi Liebenbaum at 916-323-3121.

Sincerely,



Cory T. Jasperson

Director, Governmental Affairs

CTJ/AL/yc-s

cc: Members, Senate Judiciary Committee

Hon. Janet Nguyen, Member of the Assembly

Saul Bercovitch, Director of Governmental Affairs, California Lawyers Association

Amanda Mattson, Counsel, Senate Judiciary Committee

Morgan Branch, Consultant, Senate Republican Office of Policy

Jessica Devencenzi, Deputy Legislative Affairs Secretary, Office of the Governor

Martin Hoshino, Administrative Director, Judicial Council of California

Shelley Curran, Chief Policy & Research Officer, Judicial Council of California



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TANI G. CANTIL-SAKAUYE
Chief Justice of California
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Administrative Director

CORY T. JASPERSON
Director, Governmental Affairs

March 7, 2022

Hon. Mark Stone, Chair
Assembly Judiciary Committee
1020 N Street, Suite 104
Sacramento, California 95814

Subject: Assembly Bill 1745 (Nguyen), as introduced – Support
Hearing: Assembly Judiciary Committee – March 15, 2022

Dear Assembly Member Stone:

The Judicial Council supports AB 1745, which amends section 16061.8 of the Probate Code to clarify that the 120-day period in which to contest a trust only applies when a revocable trust becomes irrevocable upon the death of a settlor of the trust or because of a contingency related to the death of a settlor of the trust.

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For these reasons, the Judicial Council supports AB 1745.

Should you have any questions or require additional information, please contact Andi Liebenbaum at 916-323-3121.

Hon. Mark Stone

March 7, 2022

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Sincerely,



Cory T. Jasperson

Director, Governmental Affairs

CTJ/AL/yc-s

cc: Members, Assembly Judiciary Committee
Hon. Janet Nguyen, Member of the Assembly
Saul Bercovitch, Director of Governmental Affairs, California Lawyers Association
Leora Gershenzon, Deputy Chief Counsel, Assembly Judiciary Committee
Daryl Thomas, Consultant, Assembly Republican Office of Policy
Jessica Devencenzi, Legislative Affairs Secretary, Office of the Governor
Martin Hoshino, Administrative Director, Judicial Council of California
Shelley Curran, Chief Policy & Research Officer, Judicial Council of California



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Director, Governmental Affairs

March 7, 2022

Hon. Janet Nguyen
Assembly Member, District 72
1021 O Street, Ste 5330
Sacramento, California 95814

Subject: Assembly Bill 1745 (Nguyen), as introduced – Support
Hearing: Assembly Judiciary Committee – March 15, 2022

Dear Assembly Member Nguyen:

The Judicial Council supports AB 1745, which amends section 16061.8 of the Probate Code to clarify that the 120-day period in which to contest a trust only applies when a revocable trust becomes irrevocable upon the death of a settlor of the trust or because of a contingency related to the death of a settlor of the trust.

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For these reasons, the Judicial Council supports AB 1745.

Hon. Janet Nguyen

March 7, 2022

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Should you have any questions or require additional information, please me at 916-323-3121.

Sincerely,

A handwritten signature in blue ink that reads "Andi Liebenbaum". The signature is fluid and cursive, with the first name "Andi" and last name "Liebenbaum" clearly legible.

Andi Liebenbaum

Attorney

AL/yc-s

cc: Saul Bercovitch, Director of Governmental Affairs, California Lawyers Association
Jessica Devencenzi, Deputy Legislative Secretary, Office of the
Governor
Martin Hoshino, Administrative Director, Judicial Council of California
Ms. Shelley Curran, Chief Policy & Research Officer, Judicial Council of California