



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

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MEMORANDUM

Date	Action Requested
September 19, 2011	N/A
To	Deadline
Hon. Tani Cantil-Sakauye Members of the Policy Coordination and Liaison Committee	N/A
Ronald G. Overholt	Contact
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From	
Curtis L. Child, Director Office of Governmental Affairs	
Subject	
Status of 2011 Legislation considered by the Policy Coordination and Liaison Committee	

Following is the status report on 2011 legislation considered by the Judicial Council's Policy Coordination and Liaison Committee (PCLC) during the 2011-2012 legislative session. The bills are listed in numerical order by house (Assembly and Senate) and are indexed by subject matter. The second column, "description" summarizes the relevant portions of the bill—and the version of the bill—on which the PCLC position is based. The description column also includes an updated summary to reflect the most current version of the bill. The "Judicial Council position" column tracks the council's initial position and any subsequent change to that position.

The text of all versions of a bill, committee analyses, vote information, history, and bill status can be found on the Legislature's website (including past session information) at:
<http://www.leginfo.ca.gov/bilinfo.html>

JUDICIAL COUNCIL OF CALIFORNIA
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JUDICIAL COUNCIL OF CALIFORNIA
Policy Coordination and Liaison Committee Action on 2011 Legislation
and Status of Bills

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of September 19, 2011
AB 73 (Tracy Kenny)	<p><u>AB 73 (Feuer) – Dependency proceedings: public access</u></p> <p>As amended April 14, 2011 Requires, subject to the provision of private funding, the Judicial Council to establish a four-year pilot project in three courts (Los Angeles, Ventura, and an unspecified court) making juvenile dependency proceedings presumptively open to the public. Requires the court at the commencement of the proceedings to inform the parties that the hearing is open, and to inquire as to whether there is any reason to close the proceedings. If the proceedings remain open, requires the court to admonish the parties to refrain from disclosing any information that would personally identify the child, his or her sibling, or parent. If there is a request to close the proceeding, requires the court to consider whether opening the proceedings is contrary to the child’s best interests. Requires the child’s attorney to advise the child of his or her right to request that the proceeding be closed, and if no attorney is present for the child, requires the court to make that advisement. Requires the Judicial Council to contract with an independent organization to evaluate the pilot and sets forth the issues to be addressed in the evaluation. Provides that the pilot shall begin within one year of securing private funding for the pilot project and evaluation.</p>	Support	Author	Assembly Human Services Committee 2-year bill
AB 109 (June Clark)	<p><u>AB 109 (Committee on Budget) – Criminal justice alignment</u></p> <p>As amended March 17, 2011 Among other things, shifts the jurisdiction over parole from the Executive Branch to the Judicial Branch.</p>	Took no position on AB 109, but directed staff to submit a letter to Governor and Legislature on behalf of the Judicial Council expressing grave concerns about the concept of shifting parole jurisdiction to the judicial branch, and the critical need to provide adequate resources.	Committee on Budget	Signed into law (Stats. 2011, ch. 15)
AB 141 (June Clark)	<p><u>AB 141 (Fuentes) – Jurors: electronic communications</u></p> <p>As introduced Requires the court, when admonishing the jury against conversing about a trial, to clearly explain, as part of the admonishment, that the prohibition applies to all forms of communication, research, and dissemination of information, including electronic and wireless devices. Requires the officer in charge of a jury to prevent any form of electronic or wireless communication. Provides that violation of this admonishment constitutes criminal and civil contempt of court.</p>	Support	Author	Signed into law (Stats. 2011, ch. 181)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of September 19, 2011
AB 212 (Tracy Kenny)	<u>AB 212 (Beall) – California Fostering Connections to Success</u> As amended August 30, 2011 Clarifies the intent and implementation of the California Fostering Connections to Success Act (AB 12 (Beall and Bass), Stats. 2010, ch. 559. Specifically, AB 212: (1) clarifies the requirements for a youth to be eligible for extended care consistent with federal requirements; (2) clarifies the process by which a nonminor can re-enter foster care and petition the court for reinstatement of jurisdiction; (3) clarifies the process for providing extended care to eligible delinquent youth in foster care; (4) conforms provisions relating to Kin-GAP guardianships in the delinquency statutes to reflect federal requirements; and (5) restores a provision erroneously deleted from law that allows youth in Kin-GAP guardianships to receive support up to age 19 if they are in the process of completing high school or an equivalency certificate.	Support	Author	To the Governor
AB 314 (Daniel Pone)	<u>AB 314 (Gorell) – Court facilities</u> As introduced Requires that contracts pertaining to the acquisition and construction of court facilities be subject to the provisions of the Public Contract Code.	Oppose	Author	Assembly Business Professions and Consumer Protection Committee 2-year bill
AB 362 (June Clark)	<u>AB 362 (Lowenthal) – Elections: office of superior court judge: write-in candidate</u> As amended May 9, 2011 Revises the number of signatures needed for placing an uncontested judicial election on the ballot for a potential write-in contest from 100 to at least 0.1 percent of the registered voters qualified to vote, with respect to the office, provided that the petition contain at least 100 signatures and need not contain more than 600 signatures. Requires that a write-in candidate for the office of superior court judge include on the statement of intent to run his or her compliance with eligibility requirements for a judge of a court of record.	Support	California Judges Association	Signed into law (Stats. 2011, ch. 214)
AB 458 (Daniel Pone)	<u>AB 458 (Atkins) – Guardianship</u> As amended March 29, 2011 Prohibits a court from appointing a minor’s parent as a guardian of the person of the minor, except as specified. Establishes requirements for transferring a proceeding to another court in circumstances in which a proceeding that concerns custody or visitation of a minor child is pending in one or more counties at the time the petition for guardianship is filed, and specifies circumstances under which the court in a guardianship proceeding would maintain exclusive jurisdiction to determine issues of custody or visitation. Requires the court in which a guardianship proceeding is filed to communicate with each court where a custody or visitation proceeding is pending prior to making a determination on maintaining or transferring the guardianship proceeding. Requires the Judicial Council, on or before January 1, 2013, to adopt rules of court to implement the inter-court communication provisions.	Sponsor	Judicial Council	Signed into law (Stats. 2011, ch. 102)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of September 19, 2011
AB 520 (June Clark)	<p><u>AB 520 (Ammiano) – Sentencing</u></p> <p>As introduced Provides that the court may not impose an upper term based on aggravating facts unless facts were first presented to the factfinder and the factfinder found the facts to be true.</p> <p><i>UPDATE: As amended May 31, 2011</i> <i>Reinstates current law and extends existing sunset for one year, to December 31, 2012.</i></p> <p><i>UPDATE: As amended September 2, 2011</i> <i>Amended to address a non-court-related matter.</i></p>	<p>Oppose</p> <p>Update: <i>As amended May 31, 2011</i> <i>Neutral</i></p>	California Attorneys for Criminal Justice	To the Governor
AB 618 (Tracy Kenny)	<p><u>AB 618 (Furutani) – Court interpreters</u></p> <p>As amended August 15, 2011 Enacts the California Language Access Bill of Rights. Requires the court to provide separate interpreters for defendants and witnesses, and for codefendants in specified proceedings. Allows a defendant to object to the use of a noncertified, nonregistered interpreter if the interpreter appears unqualified. Requires the court to follow existing rules and procedures to record that objection. Prohibits any noninterpreter staff person of the court, sheriff's department, probation department, or specified other local government entities from providing interpreter services unless the court uses existing mechanisms for qualifying a noncertified interpreter.</p>	Oppose	California Federation of Interpreters	Senate Appropriations Committee 2-year bill
AB 738 (Tracy Kenny)	<p><u>AB 738 (Hagman) – Public employees' retirement: elected officials</u></p> <p>As introduced Provides that a person who is publicly elected to any office on or after January 1, 2012, shall not become a member of any retirement system by virtue of that service and shall not acquire any retirement rights or benefits for serving in that elective office unless required by the Constitution. Also prohibits an elected official elected on or after January 1, 2012, from becoming a member or obtaining any retirement rights or benefits from specified state and local retirement systems for serving in an elective office (does not include Judges' Retirement Systems).</p>	Oppose unless amended to expressly exclude judges from the class of elected officials affected by the bill.	Author	Assembly Public Employees, Retirement and Social Security Committee 2-year bill

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of September 19, 2011
AB 973 (Donna Hershkowitz)	<p><u>AB 973 (Campos) – Trial Courts: budget process: public meeting</u></p> <p>As amended August 30, 2011 Requires each trial court, until January 1, 2017, prior to adopting a baseline budget plan for the fiscal year, to provide the public notice of, and an opportunity for input on, the trial court’s proposed budget plan, either by conducting a public hearing or accepting of written comments. Amends the law governing notice of courtroom closures, or closures or reductions in the hours of clerks’ offices during regular business hours on any day, by requiring a trial court to provide notification of such events by electronic distribution to individuals who have subscribed to the court’s electronic distribution service. Specifies that those required notifications must include information on how the public may provide written comments during the 60-day period on the court’s plan for closing a courtroom, or closing or reducing the hours of clerks’ offices. Requires the court to review and consider all public comments received and immediately post a revised notice if the court’s plan changes as a result of the comments received. Sunsets on January 1, 2017.</p>	Support if amended to provide flexibility to the trial courts on how the opportunity for public comment is provided, rather than mandating a public hearing; neutral if not amended.	American Federation of State, County, and Municipal Employees	To the Governor
AB 1067 (Daniel Pone)	<p><u>AB 1067 (Huber) – Civil procedure: orders</u></p> <p>As introduced Provides that the denial of a motion to reconsider an order pursuant to Code of Civil Procedure (CCP) section 1008 is not separately appealable. Specifies, however, that a determination made pursuant to CCP section 1008(a) may be reviewed on appeal from an appealable order that was the subject of a motion made pursuant to that provision.</p> <p>UPDATE: As amended April 25, 2011 Adds clarifying amendments regarding appealability of motions to reconsider.</p>	Support if amended. Update As amended April 25, 2011 Support	Conference of California Bar Associations	Signed into law (Stats. 2011, ch. 78)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of September 19, 2011
AB 1208 (Curtis Child)	<p><u>AB 1208 (Calderon) – Trial Courts: administration</u></p> <p>As introduced Provides that each trial court of this state is an independent constitutional and statutory court, with the independent right and duty to manage its administrative and financial affairs in accordance with its own policies, as provided by its trial court management, if the court is in reasonable compliance with accounting, audit, and budgetary standards established by law. Provides that each trial court shall be independently empowered with enumerated powers. Provides that, except as otherwise provided by law, all funds allocated for trial court operations, once appropriated, shall be fully allocated among the trial courts, and that no deductions shall take place without the consent of the affected courts. Requires the trial court management’s consent to impose, implement, or share any case or accounting information system, or to contribute any portion of the trial court’s budget to a statewide information system, or to undertake the construction of a court facility in that county.</p> <p>UPDATE: As amended May 18, 2011 <i>Significantly lessens the role of the Judicial Council in determining the allocation of funds to trial courts and allocating funds in a manner to support implementation of statewide policies and initiatives and reduces the council’s role in ensuring the stability of trial court operations and providing management or oversight over trial court budgets.</i></p>	<p>Oppose, but support the process developed by the Chief Justice with the establishment of the Strategic Evaluation Committee to address branch governance issues.</p> <p>Update: <i>As amended May 18, 2011</i> Oppose</p>	Alliance of California Judges	<p>Assembly Floor</p> <p>Failed passage</p>
AB 1264 (June Clark)	<p><u>AB 1264 (Hagman) – Statewide Bail Commission: statewide bail schedule</u></p> <p>As introduced Repeals the requirement that the superior court adopt a uniform countywide schedule of bail and instead establishes a Statewide Bail Commission. Requires the commission to revise annually a statewide bail schedule for all bailable felony, misdemeanor, and infraction offenses except Vehicle Code infractions.</p>	Oppose	Author	<p>Assembly Public Safety Committee</p> <p>2-year bill</p>
AB 1284 (June Clark)	<p><u>AB 1284 (Hagman) – Probation bonds</u></p> <p>As introduced Permits the court, in lieu of revoking probation, to allow the defendant to post bond to secure appearance at any future hearing regarding a violation of the court-imposed conditions of probation. Requires the court to notify the defendant, the surety, and the bail agent of the probation revocation hearing.</p>	Oppose	Author	<p>Assembly Public Safety Committee</p> <p>2-year bill</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of September 19, 2011
AB 1403 (Daniel Pone)	<p><u>AB 1403 (Committee on Judiciary) – Civil actions</u></p> <p>As introduced Section 1: Amends the statute governing voir dire in civil jury trials to require the trial judge to permit counsel to conduct a liberal and probing examination of prospective jurors that is calculated to discover bias or prejudice. Section 2: Amends the statute governing additur and remittitur to: (1) provide that if a deadline is not set forth in the conditional order, the deadline for acceptance or rejection of the addition or reduction of damages is 30 days from the date the conditional order granting a new trial is issued; (2) provide that failure to respond to the order shall be deemed a rejection of the addition or reduction of damages, and a new trial limited to the issue of damages shall be granted automatically; and (3) require a party serving an acceptance of a conditionally ordered addition or reduction of damages to prepare an amended judgment reflecting the modified judgment amount, as well as any other uncontested judgment awards.</p> <p><i>UPDATE: As amended May 10, 2011</i> <i>Added minor clarifying amendments to Section 2 that were sought by the Judicial Council.</i></p> <p><i>UPDATE: As amended June 23, 2011</i> <i>Section 1: Reinstates discretionary language and makes only non-substantive changes to civil voir dire statute.</i> <i>Section 2: No changes.</i> <i>Section 3: Adds court interpreter fees to costs that may be recovered when the court has authorized a court interpreter for an indigent person, as specified.</i></p> <p><i>UPDATE: As proposed to be amended</i> <i>Makes various changes to the statute governing voir dire in civil trials. Among other things, provides that a brief opening statement should be allowed for each party prior to the commencement of the oral questioning phase of the voir dire process; prohibits a blanket policy of time limits for voir dire; provides that in cases where a questionnaire is utilized, the parties should be given reasonable time to evaluate the responses before oral questioning commences; and requires the court to provide the parties with both the alphabetical list and the list of prospective jurors in the order in which they will be called.</i></p> <p><i>UPDATE: As amended September 2, 2011</i> <i>Makes changes to civil voir dire statute noted above, except for the language governing the provision of juror lists, which is discretionary rather than mandatory.</i></p>	<p>Section 1: Defer action while the sponsor is considering whether or how to move forward with this issue. Section 2: Support if amended.</p> <p>Update: <i>As amended May 10, 2011</i> <i>Section 1: No change</i> <i>Section 2: Support</i></p> <p>Update: <i>As amended June 23, 2011</i> <i>Section 1: No change</i> <i>Section 2: Support</i> <i>Section 3: No position</i></p> <p>Update: <i>As proposed to be amended</i> <i>No position, but direct OGA staff to seek an amendment to the bill to make the language regarding the provision of juror lists discretionary rather than mandatory to address the PCLC's strong concerns about the potential adverse effects of the mandatory language in this provision, which could result in unwarranted delays in the voir dire process.</i></p> <p>Update: <i>As amended September 2, 2011</i> <i>No position</i></p>	<p>Section 1: Consumer Attorneys of California Section 2: California Chamber of Commerce</p>	<p>To the Governor</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of September 19, 2011
AB 1405 (Donna Hershkowitz)	<u>AB 1405 (Committee on Judiciary) – Courts: judgeships</u> As introduced Authorizes the third set of 50 critically needed new trial court judgeships.	Sponsor	Judicial Council	Assembly Judiciary Committee 2-year bill
AB 1406 (Tracy Kenny)	<u>AB 1406 (Committee on Judiciary) – Dissolution of marriage: disclosure</u> As amended April 25, 2011 Requires that a petitioner or respondent for dissolution, separation, or nullity of marriage serve a copy of the preliminary declaration of disclosure at the time the petition or response is filed, or within 60 days of filing the petition or response unless that time period is extended by written agreement or court order. Also requires that the declarant include the prior two years tax returns as part of the disclosure.	Support	Author	Senate Judiciary Committee 2-year bill
SB 221 (Daniel Pone)	<u>SB 221 (Simitian) – Small claims court: jurisdiction</u> As amended May 19, 2011 Increases small claims court jurisdiction for actions brought by natural persons from \$7,500 to \$10,000. Delays, until January 1, 2015, operation of jurisdictional increase for bodily injury claims resulting from vehicle accidents.	Support	Author	Signed into law (Stats 2011, ch. 64)
SB 270 (Donna Hershkowitz)	<u>SB 270 (Hernandez) – State employees: compensation</u> As introduced Continuously appropriates from the General Fund, the amount necessary to fully compensate state employees should a budget not be enacted before July 1, of any given fiscal year. Does not extend its protections to employees of the judicial branch.	Oppose unless amended to include employees of the judicial branch in the protections provided by the bill.	Professional Engineers in California Government; California Association of Professional Scientists	Senate Appropriations Committee— Suspense file.

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of September 19, 2011
SB 326 (Tracy Kenny)	<p><u>SB 326 (Yee) – Court records: public access</u></p> <p>As introduced Requires the Judicial Council to adopt a rule of court requiring courts to make newly filed or lodged court records available for public inspection at the courthouse no later than the end of the same day on which those records are received by the court. Defines court records broadly to include any document, paper, or exhibit filed or lodged by the parties to an action or proceeding.</p> <p>UPDATE: As amended May 10, 2011 <i>Requires the Judicial Council, within 18 months of enactment of the legislation, to adopt a rule of court that would require courts that have fully implemented the California Court Case Management System to provide, to the extent possible and practicable, same day access to specified civil and criminal case initiating documents.</i></p> <p>UPDATE: As amended September 1, 2011 <i>Requires the Judicial Council, within 18 months of enactment of the legislation, to adopt a rule of court that would require courts to provide same-day access to specified civil and criminal case-initiating documents received within 30 minutes of the court closing to the extent possible and practicable. Provides further that in no case would a document be made available later than 60 minutes after the court opens on the next court day. Requires courts to provide copies of the court records at no cost.</i></p>	<p>Oppose, unworkable for courts</p> <p>Update: <i>As amended May 10, 2011</i> <i>Remove opposition, adopt a neutral position</i></p> <p>Update: <i>As amended September 1, 2011</i> <i>Resume opposition</i></p>	<p>Courthouse News Service; First Amendment Coalition; and Californians Aware</p>	<p>Assembly Appropriations Committee</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of September 19, 2011
SB 384 (Daniel Pone)	<p><u>SB 384 (Evans) – Civil actions</u></p> <p>As amended May 10, 2011 Authorizes a motion for summary adjudication of a legal issue or claim of damages, other than punitive damages, that does not completely dispose of a cause of action, an affirmative defense, or an issue of duty. Provides that such a motion may only be brought upon stipulation of the parties whose claims or defenses are put at issue by the motion, and a prior determination by the court, that the motion will further the interests of judicial economy by reducing the time required for trial or increasing the ability of the parties to settle. Requires that before such a motion is filed, the parties submit to the court a joint stipulation setting forth the issues to be adjudicated and a declaration from each stipulating party showing that a ruling will further the interests of judicial economy and/or increase the probability of settlement. Requires that the stipulation be served on all parties who are not parties to the motion, and allows such parties to file an objection to the determination of an issue within ten days of the submission of the stipulation.</p> <p>Clarifies the law governing fees in complex civil cases by requiring the payment of a single fee on behalf of all plaintiffs, as specified, and makes other conforming changes. Provides that these changes are declaratory of existing law.</p> <p>UPDATE: As amended September 1, 2011 Adds new provisions which (1) clarify that a "demand for money" served by an attorney to a building owner or tenant containing a construction-related accessibility claim, which must under existing law include a written advisory of the owner's or tenant's rights and obligations, is defined as such whether or not the attorney intends to file a complaint and whether or not the attorney eventually files a complaint in state or federal court; and (2) provide that a violation of an attorney's obligation to include this written advisory of rights constitutes cause for the imposition of discipline against the attorney.</p>	Support	California Defense Counsel; Consumer Attorneys of California	To the Governor
SB 405 (Donna Hershkowitz)	<p><u>SB 405 (Corbett) – Judgeships</u></p> <p>As introduced Ratifies the authority of the Judicial Council to convert 10 additional subordinate judicial officer positions to judgeships in the 2011–12 fiscal year where the conversion will result in a judge being assigned to a family law or juvenile law assignment previously presided over by a subordinate judicial officer.</p>	Sponsor	Judicial Council	To the Governor
SB 428 (June Clark)	<p><u>SB 428 (Strickland) – Public Safety Omnibus Bill</u></p> <p>As amended August 18, 2011 Among other things, authorizes courts to obtain thumbprints of felony defendants at the earliest possible time but no later than at the arraignment on the information or indictment or upon entry of a guilty or no contest plea under Penal Code section 859a.</p>	Support	Author	To the Governor

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of September 19, 2011
SB 503 (Tracy Kenny)	<u>SB 503 (Vargas) – Judges’ retirement</u> As amended September 1, 2011 Amends the Judges’ Retirement System II (JRS II) statutes to allow JRS II members who previously served as subordinate judicial officers (SJOs) to purchase JRS II service credit for a fraction of their SJO years.	Co-Sponsor	California Judges Association and Judicial Council	To the Governor
SB 565 (June Clark)	<u>SB 565 (DeSaulnier) – Vehicles: traffic violator schools: fees</u> As amended August 22, 2011 Among other things, corrects a chaptering-out error caused by the enactment of a 2010 budget trailer bill that amended the Vehicle Code provision (contained in AB 2499 (Portantino) which the Judicial Council supported) describing the court’s responsibility for collecting certain fees when a person is ordered or permitted to attend traffic violator school.	Support	Author	To the Governor
SB 647 (Daniel Pone and Tracy Kenny)	<u>SB 647 (Committee on Judiciary) – Civil law: omnibus bill</u> As amended August 22, 2011 Amends the law governing the process for obtaining a subpoena in connection with an out-of-state proceeding by requiring the first page of the pleading to state whether or not the person filing the document is a party to the out-of-state case. Makes clarifying changes to recently enacted legislation (AB 131 [Evans], Stats. 2009, ch. 413) to allow courts to collect the costs of providing court appointed counsel in dependency cases from those parents who have the ability to pay. [Note: contains other proposals not sponsored by the Judicial Council, including making technical changes to provisions in the Small Claims Act by deleting erroneous cross-references.]	Sponsor	Author	To the Governor
SB 731 (Daniel Pone)	<u>SB 731 (Committee on Judiciary) – Civil actions</u> As amended March 29, 2011 Makes various changes to improve the handling of judicial arbitration awards, and streamlines the procedures governing vexatious litigants. In the judicial arbitration area: (1) provides that a party need not file a request for a trial de novo to stop entry of the arbitrator’s award as the judgment in the case but instead could file a request for dismissal; and (2) gives parties up to 60 days after the filing of the arbitrator’s award to file either of the requests. In the vexatious litigants area: (1) clarifies that the vexatious litigant statute applies to matters in the Courts of Appeal, as well as the trial courts, and that a presiding justice or judge may delegate to another justice or judge of the same court the authority to make the pre-filing determination that an individual is a vexatious litigant or is permitted to file an action; (2) authorizes the presiding justice or presiding judge to order that notice be given of a vexatious litigants status if the clerk mistakenly files litigation without a pre-filing order; and (3) provides procedures for an application to vacate a pre-filing order and remove a litigant’s name from the Judicial Council’s list of vexatious litigants, along with guidance for the courts in deciding the application.	Sponsor	Judicial Council	Signed into law (Stats. 2011, ch. 49)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of September 19, 2011
SB 848 (Daniel Pone)	<u>SB 848 (Emmerson) – Court of appeal districts</u> As amended April 27, 2011 Reorganizes the court of appeal districts into seven districts by removing the counties of Riverside, San Bernardino, and Inyo (currently Division Two) from the Fourth Appellate District and creating a new Seventh Appellate District consisting of those counties.	Oppose	Author	Senate Judiciary Committee 2-year bill
SB 858 (June Clark)	<u>SB 858 (Gaines) – Probation: chief probation officer of Nevada County</u> As amended April 25, 2011 Provides that the Chief Probation Officer of Nevada County shall be appointed by the Nevada County Board of Supervisors.	Oppose	Author	Senate Public Safety Committee Failed passage; reconsideration granted 2-year bill

Appendix
Status of 2011 Judicial Council-sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of September 19, 2011
AB 458 (Daniel Pone)	<p><u>AB 458 (Atkins) – Guardianship</u></p> <p>As amended March 29, 2011 Prohibits a court from appointing a minor’s parent as a guardian of the person of the minor, except as specified. Establishes requirements for transferring a proceeding to another court in circumstances in which a proceeding that concerns custody or visitation of a minor child is pending in one or more counties at the time the petition for guardianship is filed, and specifies circumstances under which the court in a guardianship proceeding would maintain exclusive jurisdiction to determine issues of custody or visitation. Requires the court in which a guardianship proceeding is filed to communicate with each court where a custody or visitation proceeding is pending prior to making a determination on maintaining or transferring the guardianship proceeding. Requires the Judicial Council, on or before January 1, 2013, to adopt rules of court to implement the inter-court communication provisions.</p>	Judicial Council	Signed into law (Stats. 2011, ch. 102)
AB 1405 (Donna Hershkowitz)	<p><u>AB 1405 (Committee on Judiciary) – Courts: judgeships</u></p> <p>As introduced Authorizes the third set of 50 critically needed new trial court judgeships.</p>	Judicial Council	Assembly Judiciary Committee 2-year bill
SB 405 (Donna Hershkowitz)	<p><u>SB 405 (Corbett) – Judgeships</u></p> <p>As introduced Ratifies the authority of the Judicial Council to convert 10 additional subordinate judicial officer positions to judgeships in the 2011–12 fiscal year where the conversion will result in a judge being assigned to a family law or juvenile law assignment previously presided over by a subordinate judicial officer.</p>	Judicial Council	Assembly Appropriations Committee—Suspense file.
SB 503 (Tracy Kenny)	<p><u>SB 503 (Vargas) – Judges’ retirement</u></p> <p>As amended September 1, 2011 Amends the Judges’ Retirement System II (JRS II) statutes to allow JRS II members who previously served as subordinate judicial officers (SJOs) to purchase JRS II service credit for a fraction of their SJO years.</p>	California Judges Association Judicial Council	To the Governor

Appendix
Status of 2011 Judicial Council-sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of September 19, 2011
SB 647 (Daniel Pone and Tracy Kenny)	<p><u>SB 647 (Committee on Judiciary) – Civil law: omnibus bill</u></p> <p>As amended August 22, 2011 Amends the law governing the process for obtaining a subpoena in connection with an out-of-state proceeding by requiring the first page of the pleading to state whether or not the person filing the document is a party to the out-of-state case. Makes clarifying changes to recently enacted legislation (AB 131 [Evans], Stats. 2009, ch. 413) to allow courts to collect the costs of providing court appointed counsel in dependency cases from those parents who have the ability to pay. [Note: contains other proposals not sponsored by the Judicial Council, including making technical changes to provisions in the Small Claims Act by deleting erroneous cross-references.]</p>	Judicial Council	To the Governor
SB 731 (Daniel Pone)	<p><u>SB 731 (Committee on Judiciary) – Civil actions</u></p> <p>As amended March 29, 2011 Makes various changes to improve the handling of judicial arbitration awards, and streamlines the procedures governing vexatious litigants. In the judicial arbitration area: (1) provides that a party need not file a request for a trial de novo to stop entry of the arbitrator’s award as the judgment in the case but instead could file a request for dismissal; and (2) gives parties up to 60 days after the filing of the arbitrator’s award to file either of the requests. In the vexatious litigants area: (1) clarifies that the vexatious litigant statute applies to matters in the Courts of Appeal, as well as the trial courts, and that a presiding justice or judge may delegate to another justice or judge of the same court the authority to make the pre-filing determination that an individual is a vexatious litigant or is permitted to file an action; (2) authorizes the presiding justice or presiding judge to order that notice be given of a vexatious litigants status if the clerk mistakenly files litigation without a pre-filing order; and (3) provides procedures for an application to vacate a pre-filing order and remove a litigant’s name from the Judicial Council’s list of vexatious litigants, along with guidance for the courts in deciding the application.</p>	Judicial Council	Signed into law (Stats. 2011, ch. 49)