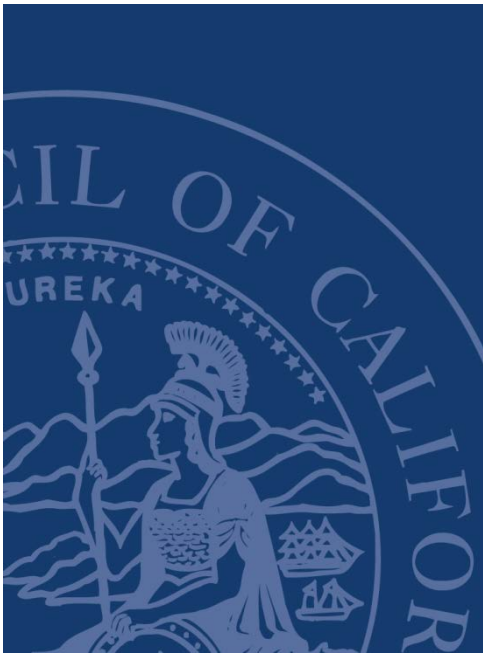

2019 Legislative Policy Summary

HISTORICAL SUMMARY OF LEGISLATIVE ACTIVITY

JUDICIAL COUNCIL OF CALIFORNIA

GOVERNMENTAL AFFAIRS

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JUDICIAL COUNCIL OF CALIFORNIA
GOVERNMENTAL AFFAIRS

HISTORICAL SUMMARY OF LEGISLATIVE ACTION

November 2019

Governmental Affairs monitors legislative activity and represents the Judicial Council before the Legislature, the Governor's Office, and executive branch agencies and departments. The following summarizes council action regarding court-related legislative proposals. The summary is organized by policy area and includes how the actions further the objectives of the seven goals of *Justice in Focus: The Strategic Plan for California's Judicial Branch, 2006–2016*. The table that follows each policy area shows actions that are taken on legislation and that illustrate the policy. The table does not include every bill on which a council position was taken.

This document is updated annually. The electronic version of this document contains hyperlinks for viewing the text of the bills.

GENERAL PRINCIPLES

The Judicial Council supports the integrity and independence of the judicial branch and seeks to ensure that judicial procedures enhance efficiency and access to the courts. The council generally takes no position on bills involving substantive law. However, it may take a position on an apparent issue of substantive law if issues of procedure and substance are so inextricably intertwined that they directly affect court administration or judicial discretion or negatively affect existing judicial services by imposing unrealistic burdens on the system.

I. COURT OPERATIONS

A. *COURT STRUCTURE*

The council supports a structure of general jurisdiction to improve court efficiency and flexibility in the use of judicial resources. For specialty calendars (e.g., drug courts, dependency drug courts, domestic violence courts) established in the trial courts, the council supports evaluation and development of best practices.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 515	Dickinson	2013	Oppose, but direct staff to continue discussions with the author to explore possible alternatives that are more workable for the courts.	Mandates the creation of new California Environmental Quality Act (CEQA) compliance court divisions of the superior court in specified counties and vests these divisions with original jurisdiction over actions or proceedings brought under CEQA and joined matters related to land use and environmental laws. Requires a CEQA compliance division judge to issue a preliminary decision in each of these cases before the opportunity for oral argument is granted. Requires the Judicial Council to adopt rules for establishing, among other things, protocols to govern the administration and efficient operation of the divisions, so that those judges assigned to the divisions will be able to hear and quickly resolve those actions or proceedings.	II	
SB 123	Corbett	2013	Oppose; courts need the flexibility to manage their own calendars. Bill is not necessary due to existing CEQA calendar preference and special judge training requirements.	Requires the Judicial Council to direct the creation of an environmental and land use division "within two or more superior courts within each of the appellate districts of the state" (i.e., a minimum of 12 new divisions) to process all civil proceedings brought pursuant to the California Environmental Quality Act or in specified subject areas, including air quality, biological resources, climate change, hazards and hazardous materials, land use planning, and water quality. Specifies that such an action may be filed at a superior court within the county in which the underlying claim arises, but requires the proceeding to be transferred to the nearest superior court within the same appellate district that has established an environmental and land use division pursuant to the bill's provisions. Creates new funding scheme utilizing specified fees for environmental license plates to supplement funding for the operation of the new environmental and land use divisions.	II	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 848	Emmerson	2011	Oppose	Reorganizes the Court of Appeal 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.	III	
AB 1925	Salas	2010	No position	Authorizes superior courts to develop and implement veterans courts for eligible veterans of the United States military.	N/A	Outside Judicial Council purview.
SB 851	Steinberg	2007	Oppose unless amended. Neutral if amended.	Authorizes superior courts to establish and implement mental health courts, which may operate a pre–guilty plea program or a deferred entry of judgment program. Authorizes the California Department of Corrections and Rehabilitation to contract with a superior court and county to use mental health courts as a program for parolees with serious mental illnesses who either violate the terms of parole or receive new terms, as an alternative to custody. As proposed to be amended, a parolee's participation in the mental health court program would be voluntary, and the parolee would be required to sign a waiver indicating agreement that participation in the program is in lieu of parole revocation proceedings. Parolees would remain under legal custody of the Department of Corrections and Rehabilitation.	II	Inappropriately creates shared jurisdiction over parolees.
ACA 38	DeVore	2006	Oppose	Provides that the Supreme Court has original jurisdiction, and no other state court has jurisdiction, in any civil action challenging the facial validity of any statewide initiative measure or referendum placed on the ballot by signature petition of the voters and approved by the voters at a statewide election. Requires the Supreme Court to issue its decision within 90 days of the filing of the action, and establishes a 90-day statute of limitations for civil actions challenging the facial validity of this type of initiative measure or referendum.	II	
AB 1453	Daucher	2005	Oppose	Creates new water courts to adjudicate cases involving the production of groundwater.	II	Interferes with court administration.
SCA 16	Runner, George	2005	Oppose	Provides that Los Angeles County shall be divided into judicial districts established by three special masters appointed by the Supreme Court within 30 days after the effective date of the measure. Provides that each district must be geographically compact and contiguous to the extent practicable, and consist of no more than 36 superior court judges. The districts must also comply with the federal Voting Rights Act.	I, III, IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2472/ SB 1424	Wolk/ Burton	2004 2004	Oppose unless amended; neutral if amended.	Creates the California Tax Court, which would replace the State Board Equalization (BOE) as the forum that would hear and determine certain tax appeals. Provides that a taxpayer's option to file an appeal with the California Tax Court would be in lieu of filing an appeal in the California Superior Court. The bills provide further that, within 90 days of the date a determination by the California Tax Court becomes final, a taxpayer or the applicable state agency may appeal the determination of the California Tax Court to the Court of Appeal.	II	Amendments sought to eliminate use of terms "court" and "judge" and to allow review by extraordinary writ only.

B. *COURT FUNDING*

The council supports funding of the courts at a level that will ensure an adequate and stable source of necessary resources. The council generally opposes funding the courts by fees or fines, but departs from this general position in certain circumstances.

1. *Budget*

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2458	Obernolte	2016	Support	Repeals the 1 percent cap on amounts trial courts are authorized to carry over from one fiscal year to another. Restores language to match pre-cap language.	VII	
AB 2629	Roger Hernández	2016	Oppose, unless amended to remove subsection (c) relating to folio rates and funded.	Raises the fee for original transcripts and additional copies provided by official court reporters and court reporters pro tempore, except those fees established by local courts that were in effect on January 1, 2012, will continue to be in effect.	II, VII	Unfunded additional burden on branch during period of chronic underfunding.
AB 619	Garcia	2013	Sponsor	Revises the formula for assessing interest and penalties for delinquent payments to the State Court Facilities Construction Fund. Makes this provision consistent with statute governing interest and penalties for late payments to the Trial Court Trust Fund. Authorizes the Controller to permit a county, city and county, or court to pay the interest or penalty amounts under a payment schedule if the interest or penalty amount causes a hardship to that entity.	III	This bill contains one of the 6 efficiency proposals approved for Judicial Council-sponsorship in April 2013. See SB 539.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 655	Quirk-Silva	2013	Oppose	Allows trial courts to establish a Reporters' Salary Fund, which shall be a revolving fund, to be used solely to contribute to the salaries and benefits of official court reporters.	II	Places pressure on the trial courts to create a special fund that needlessly treats a particular class of employees differently.
SB 539	Margett	2007	Support	Establishes a tiered interest and penalty structure for late and underpayments to the Trial Court Trust Fund that reduce the retroactive penalty to the amount that the revenue would have earned had it been receiving the Local Agency Investment Fund (LAIF) rate so long as the court or county remits the revenue within 30 to 45 days, as specified, from the time the error is discovered; establishes that the higher penalty rate applies only from the date 30 days after the date of the issuance by the Controller of the final audit report concerning the failure to pay; and requires the entity found in error to make the payment directly to the state.	III	
AB 750	Mullin	2005	Oppose	Authorizes San Mateo County to reduce the amount it is required to remit to the state for funding court operations by 10% for three years beginning on July 1, 2005.	IV	
SB 93	Florez	2005	Neutral	Allows Tulare County to pay any interest and penalties owed to the Trial Court Trust Fund and the Trial Court Improvement Fund over a period of 10 years.	III	
SB 324	Florez	2003	Oppose unless amended	Forgives nonremittance of revenues by Tulare County to the Trial Court Trust Fund.	III	Amendment sought to add an appropriation to reimburse the Trial Court Improvement Fund.
SB 1343	Torlakson	2002	Neutral	Forgives retroactive repayment of MOE amounts to the Trial Court Trust Fund.	IV	
SB 1396	Dunn	2002	Support	Clarifies allowable and unallowable costs for court security.	IV	
SB 1153	Johannessen	2001	Oppose	Provides that costs related to court security in counties with a population of less than 103,000 shall be paid by the state.	IV	
AB 2459	Wiggins	2000	No position	Requires the council to adopt rules to provide for public access to budget allocation and expenditure information.	II, IV	

2. *Fees, fines, penalties*

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1531	Berman	2018	Support	Specifies that if a duplicate payment is made to a court by a party or an electronic service provider by credit card or other electronic means for, among other things, court filing fees, the court must issue any appropriate refund to the entity that made the most recent payment. Allows an electronic filing service provider—if an electronic filing is made to the court via an electronic filing service provider acting as the agent of the court for purposes of collecting and remitting filing fees, and fees owed to the electronic filing service provider remain unpaid for a period of five days after notice to the attorney of record, and the filing was made by the attorney of record and not an unrepresented party—to notify the clerk that fees remain unpaid despite notice to the attorney of record. Allows the clerk to notify the attorney of record that the attorney may be sanctioned by the court for nonpayment of fees, and allows the court to sanction that attorney if the fees remain unsatisfied 20 days after the clerk's notice.	IV	
AB 2244	Gatto	2016	Support	Authorizes an electronic filing service provider to impose a fee, subject to Judicial Council approval, for the use of a credit or debit card or electronic funds transfer in collecting payment of filing or other court fees on behalf of the court.	I, III	
AB 648	Jones-Sawyer	2013	Sponsor	Specifies that the $30 court reporter fee is for proceedings lasting one hour or less; the moving party is responsible for the fee; the court may collect the fee at a time specified by the court, but not later than the conclusion of each day's court session; the fee is refundable only if the court fails to provide a court reporter at the scheduled hearing; the fee will be charged once per case for all proceedings conducted within the same hour; the fee shall be waived for parties that have been granted a fee waiver; and the funds shall be deposited in the Trial Court Trust Fund and then returned to the court in which the funds were collected.	II, III	
AB 1293	Bloom	2013	Sponsor	Adds a probate fee of $40 for the filing of a request for special notice in decedents' estate, guardianship, conservatorship, or trust proceedings to help courts cover the costs incurred and to ensure proper service of notice and other documents to all persons who have requested special notice. Sunsets on January 1, 2019.	I, IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 221	Simitian	2011	Support	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.	I	
AB 1826	Beall	2008	Sponsor	Clarifies that the filing fee for filing an action seeking return of seized property in connection with controlled substance offenses is the same as the first paper filing fee in unlimited civil actions.	III	
AB 367	De León	2007	Sponsor	Establishes a task force on criminal court-ordered fines and penalties that will make recommendations for simplifying California's criminal fine and penalty assessment, collection, and distribution system. Reduces the minimum fine required by the Franchise Tax Board Court-Ordered Debt Collection Program from $250 to $100 and expands the program to include collections for registration, pedestrian, and bicycle violations.	III	
AB 1248	Evans	2007	Sponsor	Makes technical and clarifying changes to the Uniform Civil Fees and Standard Fee Schedule Act of 2005, clarifies the fine for production of documents pursuant to demand for production, increases the cap on habeas investigations costs paid by the Supreme Court, allows the courts to collect bail forfeitures in installment payments without requiring the individual to make an appearance in court, and changes the date when the Judicial Council must adjust the amount a parent or guardian may be liable for minors' actions.	III, IV	
AB 145	Committee on Budget	2005	Sponsor	Establishes statewide uniform first-paper and first-response paper fees at three graduated levels: the filing fee for limited civil cases where the demand is less than or equal to $10,000 is $180, the filing fee for limited civil cases where the demand is greater than $10,000 but less than $25,000 is $300, and the filing fee for unlimited civil cases is $320.	II, III, IV	
SB 246	Escutia	2004	Sponsor	Allows courts, in addition to counties, to refer delinquent fines to the Franchise Tax Board.	II, III	
AB 934	Reyes	2003	Oppose	Adds a $25 filing fee for deposit in the Child Abduction Prevention Fund established in the office of the district attorney in Fresno County.	II	
SB 940	Escutia	2003	Sponsor	Requires the Judicial Council to adopt guidelines for a comprehensive collection program, establish a collaborative court-county working group on collections, and report on the effectiveness of collection programs.	II, III	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1819	Pacheco, Robert	2002	Support	Removes the $100 minimum requirement to identify and collect delinquent fines and forfeitures with or without a warrant and provides that any county or court may establish a minimum base fine or forfeiture amount for inclusion in the program.	II, III	
AB 2690	Cardoza	2002	Oppose	Requires each court to submit to the Bureau of State Audits an annual financial statement showing outstanding delinquent fines.	II, III	

C. *COURT FACILITIES*

The council seeks ways to fund necessary courthouse construction projects on a statewide basis.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2309	Bloom	2018	Sponsor	Authorizes the Judicial Council to sell the West Los Angeles Courthouse and the Los Angeles Mental Health Courthouse, as specified, if the sale complies with certain requirements applicable to the disposal of court facilities and if the Judicial Council consults with, and first offers the right to purchase the property to, the County of Los Angeles. Requires the net proceeds from the sale of the courthouses to be deposited into the Immediate and Critical Needs Account of the State Court Facilities Construction Fund.	VI	
AB 581	Gomez	2015	Support	Asks voters to approve a $2 billion general obligation bond measure to fund deferred maintenance projects in state facilities. Provides that the funds shall only be used to address deferred maintenance projects on state-owned property and shall be made available for expenditure only upon appropriation by the Legislature in the annual Budget Act. Defines a state agency as "any state agency, department, office, division, bureau, board, commission, district, agricultural association, the California State University, the University of California, and the Judicial Council."	VI	
AB 314	Gorell	2012	Oppose	Requires that contracts pertaining to the acquisition and construction of court facilities be subject to the provisions of the Public Contract Code.	II	
AB 2442	Williams	2012	Oppose unless amended	Establishes the California Hope Public Trust and authorizes it to control state-owned real property the trust determines it should control, including court facilities.	IV	
SBX2 12	Steinberg	2009	Sponsor	Provides for the continuous appropriation of revenue created by SB 1407 (Stats. 2008, ch. 311) to support courthouse construction projects. Creates an expedited authority process for trial court construction projects.	I, II, III, VI	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 1407	Perata	2008	Sponsor	Authorizes a $5 billion program for the construction, rehabilitation, renovation, and replacement of court facilities. Increases civil first-paper filing fees and criminal and traffic fees and penalties to generate the revenue to fund future revenue bonds.	I, III, VI	
SB 10	Dunn	2006	Cosponsor	Revises the Trial Court Facilities Act of 2002 to allow buildings with a seismic level V rating to transfer to the state so long as counties remain liable for earthquake-related damage, replacement, injury, and loss to the same extent that they would have been liable if the responsibility for court facilities had not transferred to the state.	I, III	
SB 1375	Lowenthal	2006	Support if amended	Requires the state to become a party to any public-private partnership agreement entered into by a county that involves a capital lease for construction of replacement court facilities and to become the lessee.	II, III	Amendment sought to remove requirement that the state participate in negotiations with counties and private developers regarding the construction of a new court facility
AB 262	Berg	2005	Oppose	Prohibits the Judicial Council from requiring that a structure proposed for transfer from a county to the state for court occupancy meet a building code stricter than the standard adopted for the county buildings in the county proposing the transfer.	II, III	
AB 1435	Evans	2005	Support	Adds expenditures on "court facilities" to the list of allowable uses of local courthouse construction funds.	III	
SB 395	Escutia	2005	Sponsor	States the intent of the Legislature to enact the California Court Facilities Bond Act of 2006 to acquire, construct, and finance court facilities.	I, III, VI	
AB 688	Nakanishi	2003	Oppose	Requires the Amador County courthouse and hospital transfer to the state on January 1, 2004, and relieves Amador County of its responsibility to provide court facilities pursuant to SB 1732 (Escutia; Stats. 2002, ch. 1082).	II	April 28, 2003 amendments provide that in establishing the recommended priorities for funding of projects under the California Court Facilities Construction and Renovation Bond Act of 2004, the Judicial Council shall consider all relevant factors bearing on the priority of each proposed project, including a proposal for matching funds. Council opposition withdrawn.
SB 655	Escutia	2003	Sponsor	Authorizes the issuance of bonds, the proceeds of which would be deposited in the State Court Facilities Construction Fund.	I, III, VI	
SB 1732	Escutia	2002	Cosponsor	Establishes a process for the transfer of responsibility for court facilities from the counties to the state.	I, II, III, VI	

D. *COURT MANAGEMENT*

1. Personnel issues – The council seeks to maintain the ability of the judicial branch to manage relationships between courts and court employees and independent contractors such as court reporters and court interpreters.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 242	Kamlager-Dove	2019	Support	Allows the Judicial Council to develop training on implicit bias, requires any training developed to include the components listed in the bill, and requires court staff (who interact with the public on matters before the court) to complete two hours of implicit bias training every two years, as of January 1, 2022.	I, IV, V	
AB 1520	Low	2019	Oppose, unless amended and funded	Increases the fee for the original and copies of court reporter transcripts for three consecutive years by a specified amount and then annually by the Consumer Price Index.	I, IV	
AB 2868	Santiago	2018	Oppose	Prohibits the Superior Court of Los Angeles County from employing a "limited-term law clerk" in the trial court for a period exceeding 180 calendar days. Provides that the law clerk is a trial court employee if he or she is employed for more than 180 calendar days. Makes legislative findings and declarations as to the necessity of a special statute for the Superior Court of Los Angeles County.	II, III	
AB 2835	Cooper	2016	Oppose	Among other things, requires public employers (including the trial courts) to provide newly hired public employees, as defined, a specified public employee orientation within two months of hiring. Requires public employee orientation to take place during the regular workday, in person, unless the public employer and recognized employee organization or exclusive representative have agreed otherwise. Requires the scheduling of these orientations to be agreed on with the recognized employee organization or exclusive representative.	III	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 804	Hernández	2015	Support	Among other things, requires the Court Reporters Board (CRB) to adopt regulations that establish minimum continuing education (CE) requirements for renewal of a certified shorthand reporter (CSR) certificate by July 1, 2017. Specifies that the continuing education required includes a minimum of 2 hours of course credits in ethics and professional conduct of shorthand reporting. Limits the continuing education required to no less than 8 hours and no more than 12 hours every two years. Requires certificate holders, six months after the effective date of the regulations, to certify completion of minimum CE requirements to the CRB when renewing a certificate. Requires the CRB to ensure that the CE requirement is relevant to the practice of shorthand reporting. Permits the CRB to revoke or deny the right of a CE provider for failure to comply with requirements or regulations as specified. Authorizes the CRB to adopt regulations to implement the above provisions. Requires the CRB to collaborate with the Judicial Council to develop a list of approved courses that satisfy the requirements established by California Rules of Court, rule 10.474 and specifies that courses on the list shall satisfy both requirements.	V	
AB 874	Rendon	2015	Neutral	Applies the Dills Act to the Judicial Council to confer bargaining rights to Judicial Council employees.	II	
AB 1699	Hernandez	2010	Oppose unless amended	Provides that the General Fund and other special funds are to be continuously appropriated in an amount necessary for employee compensation and benefits, so that state employees will be fully paid in the absence of a state budget. The contents of this bill are identical to the provisions of AB 790.	II, III	Inappropriately treats judicial branch employees differently than other public employees.
AB 1749	Lowenthal	2010	Support	Extends the existing provisions of the California Whistleblower Protection Act (CWPA) to the judicial branch.	II	Promotes accountability and transparency.
SB 752	Wiggins	2009	Support	Requires that counties in joint Public Employees Retirement System (PERS) contract with a court, prior to issuing a pension obligation bond (POB): (1) identify court employees as of January 1, 2001, (2) require PERS to complete an actuarial analysis, and (3) reach agreement with the court on the financial and legal impact of the POB on the court's employer contribution rate.	II	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 276	Solorio	2007	Oppose	Provides that a limited-term employee is a regular trial court employee if the limited-term employee has completed 180 days of service, and if the assignment, position, or project of the limited-term employee is an integral part of the long-term, regular work of the trial court. This bill would remove the right to bargain with employee organizations over the use of temporary or limited-term employees.	II, III	
AB 553	Hernandez	2007	Oppose	Eliminates or delays the courts' ability to seek injunctive relief when court employees or when county employees strike and essential court employees will not cross a picket line. Removes a court's ability to seek injunctive relief in superior court for the return of a limited number of employees instead. Requires all injunctive relief to be sought through Public Employment Relations Board.	II, IV	
AB 582	Evans	2007	Oppose unless amended and funded	Increases the fee for the original and copies of court reporter transcripts for three consecutive years by a specified amount and then annually by the Consumer Price Index.	I, IV	As amended May 23, 2007, council position changed to take no position on amount of transcript rate increase, if funded; support the uniform transcript standards; and oppose unless amended to address increased costs on low-income litigants.
AB 1797	Bermudez	2006	Oppose	Prohibits use of limited-term employee for work that is an integral part of the long-term, regular work of the trial court.	II	
SB 733	Aanestad	2005	Oppose unless amended	Requires the assets and liabilities of the Superior Court of Butte County and the County of Butte to be kept in separate accounts within the Public Employees Retirement System fund.	II, III	Amendment sought to delete the requirement that assets and liabilities be split and instead require the Judicial Council to report to the Legislature by January 1, 2006, on how to fairly resolve the issues raised in Butte and Solano Counties.
AB 782	Kehoe	2003	Oppose unless amended	Grants to the Public Employment Relations Board authority to process claims involving violations of statutes or rules relating to employment relations between trial courts and recognized employee organizations.	II, III	
SB 371	Escutia	2002	Support	Establishes the Trial Court Interpreter Employment and Labor Relations Act, providing for the employment and compensation of certified and registered trial court interpreters.	II, III	
SB 2011	Burton	2002	Support	Establishes the Workers' Compensation Fund. Allows the courts to be uninsured for workers' compensation in the same way the state, as an employer, is uninsured.	II, III	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1571	Shelley	2001	Oppose	Eliminates the statutory "at pleasure" status of the Supreme Court and Court of Appeal employees.	II, III	
SB 2140	Burton	2000	Support	Establishes the trial court as the employer of court employees.	III	

2. *Management and administration* – The council closely examines the fiscal and resource implications of any legislative proposal that places additional responsibilities on court administration. When appropriate, the council informs the Legislature of the need for additional resources to carry out new legislatively imposed responsibilities, or seeks to improve the efficiency of the new procedure.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 253	Stone	2019	Support, if amended	Authorizes, until January 1, 2022, the Superior Court of Santa Clara County to conduct a pilot project to study the potential use of remote court reporting to make the verbatim record of certain court proceedings. Prohibits all other courts from using remote reporting.	I, III	
AB 1737	Obernolte	2019	Support	Repeals the 1 percent limitation on trial courts' carrying over unexpended funds and, instead, allows the Judicial Council to authorize a trial court to carry unexpended funds over from one fiscal year to the next.	II, VII	
AB 2988	Weber	2018	No position	Requires the appropriate governmental entity to preserve any object or material that contains or includes biological material. Requires the governmental entity to provide notice of intent to destroy biologics, as specified. Retains the provisions in existing law relating to challenges to notices of intent to destroy biologics.	VI	
SB 349	Lara	2018	No position	Provides that judicial officers have the power to prevent activities that threaten access to state courthouses and court proceedings, and to prevent interruption of judicial administration, including protecting the privilege from civil arrest at courthouses and court proceedings. Provides that no person shall be subject to civil arrest of any type while at a courthouse or court proceeding. Provides that an individual who violates this provision may be held in contempt of court.	I	
AB 1128	Weber	2017	Oppose	Provides that exhibits in criminal proceedings are to be retained under the custody and control of the court, and, in more serious cases, extends the time periods that exhibits must be retained by the court or that an object or material that contains biological material must be retained by the appropriate governmental entity.	VII	Some courts will not be able to comply with the provisions of this bill unless significant capital improvements and infrastructure are funded to provide for the necessary storage envisioned in this bill.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1312	Gonzalez Fletcher	2017	Oppose, unless amended	Among other things, requires a court, upon request by a sexual assault victim during a criminal proceeding related to the alleged sexual assault, to provide the victim and the victim's family members, friends, and witnesses with a secure waiting area that is separate from the waiting area of the defendant and the defendant's family members, friends, witnesses, and attorneys, and separate from the district attorney's office.	VII	Many courthouses will be unable to accommodate the secure waiting area requirement within existing space resources.
AB 1443	Levine	2017	Sponsor	Specifies the statutory period for retaining court records in gun violence restraining order cases. Eliminates the requirement that superior courts report any court records that they have destroyed to the Judicial Council.	VII	
AB 1450	Obernolte	2017	Support	Requires court reporters to provide transcripts to appellate courts, parties, or any other person entitled to a transcript in an electronic format that complies with the California Rules of Court, unless a paper copy is requested. Provides a five-year grace period for courts and reporters to modernize their equipment and overall technical abilities.	I, III, IV	
AB 749	Bloom	2015	Oppose, unless funded	Adds child custody hearings and Domestic Violence Prevention Act proceedings to the list of case types for which court reporters are mandated.	IV, VII	
SB 682	Leno	2015	Oppose, unless amended	Establishes standards for when a trial court intends to enter into, renew, or extend a contract for any services that are "currently or have been customarily performed" by that trial court's employees.	III	
AB 1773	Allen	2014	Support, if funded	Requires the semiannual contracting reports related to the procurement of contracts by the Judicial Council to include a list of all new contracts and the complete history of contracts amended during the reporting period, including the date, amount, and duration of the original contract and all subsequent amendments.	III	
SB 1313	Nielsen	2014	Sponsor	Eliminates the requirement that the enumerated courts use court reporters in nonmandated case types. Eliminating these requirements will allow the enumerated courts the flexibility that all other courts have to determine if their budget circumstances can accommodate court reporting in nonmandated case types.	III	
AB 1008	Torres	2013	Oppose	Eliminates the ability of a judge to perform the duties of a clerk during a session of a superior court or within a judge's chambers as is currently permitted under section 167 of the Code of Civil Procedure.	II	Hampers the ability of the trial courts to manage staffing and duties in the courtroom.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1131	Skinner	2013	Support the provision relating to court reporting, if amended.	Among other things, requires that courts notify the Department of Justice (DOJ) in an electronic format, in a manner prescribed by the DOJ, about individuals who have been adjudged by a court to be a danger to others as a result of mental disorder or mental illness, or who have been adjudicated to be a mentally disordered sex offender, within two court days of the finding.	IV	Allows for more efficient reporting to the Department of Justice.
AB 1352	Levine	2013	Sponsor	Updates and revises court record retention provisions to allow courts to efficiently and effectively manage court records and reduce unnecessary storage costs.	II	
AB 973	Campos	2011	Support if amended; neutral if not amended.	Requires trial courts, prior to adopting a baseline budget plan for the fiscal year, to accept public input by holding a public hearing where testimony may be presented and by receiving written comments. Requires that, during the current 60-day notice period regarding notice of courtroom closures, or closure or reduction in the hours of clerks' offices, the public be given an opportunity to submit written comments on the court's plan.	II	Support contingent on amendments to provide flexibility to the trial courts on how the opportunity for public comment is provided, rather than mandating a public hearing.
SB 326	Yee	2011	Oppose	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.	IV	Unworkable burden on courts.
SB 858	Gaines	2011	Oppose	Provides that the Chief Probation Officer of Nevada County shall be appointed by the Nevada County Board of Supervisors.	II	Codifies a one-sided governance structure that ignores the critical role of the court in probation activities.
AB 1697	Hall	2010	Oppose	Takes the authority to allocate funding for court security away from the Judicial Council. Directs that the allocation to each sheriff be determined by the Judicial Council's Working Group on Court Security; makes all persons who provide court security services employees of and under the direction of the county sheriff.	II	Inappropriately interferes with Judicial Council governance; inappropriately takes funding authority away from the Judicial Council.
AB 1926	Evans	2010	Sponsor	Authorizes courts to create, maintain, and preserve records in any form or forms—including paper, optical, electronic, magnetic, micrographic, or photographic media or other technology—that satisfies standards or guidelines established by the Judicial Council.	VI	Promotes efficient management of court records.
AB 273	Anderson	2009	Oppose	Requires the superior courts to submit all unpaid court-ordered debt to the Franchise Tax Board, regardless of the amount, if the debt is at least 90 days delinquent. Allows the Franchise Tax Board to include in the total amount owed by the debtor that is subject to collection, the "actual and reasonable cost of collection."	II	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1338	Anderson	2009	Oppose unless funded	Authorizes the presiding judge of the superior court, or a judge designated by the presiding judge, together with the district attorney and the public defender, to establish and conduct an arraignment court program. Also authorizes the presiding judge of the superior court to establish extended hours for the operation of an arraignment court program.	III	Unnecessary. Interferes with court management.
AB 2357	Duvall	2008	Oppose unless amended	Requires the Judicial Council to develop and implement policies and procedures for the protection of personal information maintained by a superior court and processed or stored by private service providers, consistent with the best interests of the public. Requires the council, as part of the process of developing these policies and procedures, to consider, among other things, the effect and advisability of prohibiting the outsourcing of data entry services outside the United States.	III, IV	Sought amendment to direct the Judicial Council to take a comprehensive look at protecting personal information and to develop policies and procedures that are in the best interests of the public.
AB 112	Wolk	2007	Oppose	Designates a segment of State Highway Route 12 in Solano and San Joaquin Counties as a Safety Enhancement-Double Fine Zone upon approval of specified county resolutions and until January 1, 2012.	III	
AB 117	Beall	2007	Oppose	Provides that, until January 1, 2010, a county may choose to levy an additional assessment for a highway traffic violation in the amount of $2 for every $10 or fraction thereof, on each base fine, excluding other penalty assessments, fees, or additions. Requires that the collected assessment be deposited in a Traffic Safety Committee Network fund, and that the monies be allocated so that, after deducting administrative costs, 85% shall be used in traffic safety programs approved by the county board of supervisors, and 15% shall be deposited in the county's courthouse construction fund.	III	
SB 57	Alarcon	2005	Oppose	Authorizes a county board of supervisors to levy a $2 penalty assessment for every $10 in base fine for seat belt, speed limit, DUI, and domestic violence offenses.	III	Imposed undue burden on court case-management systems.
SB 324	Florez	2004	Oppose unless amended to include an appropriation to the Trial Court Improvement Fund	Validates the incorrect distribution of fines, forfeitures, and penalties made by the County of Tulare to the State Treasurer for deposit in the Trial Court Improvement Fund in the 1996–1997 to 1999–2000 fiscal years.	II, IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 1801	Bowen	2004	Oppose	Prohibits any state or local agency or court that accepts a credit card or debit card as a payment from imposing any processing fee or charge for the use of that card that is not also imposed on persons who pay by cash or check.	II, III	
AB 3036	Corbett	2002	Oppose unless funded	Increases the accountability of guardians by assisting courts in overseeing guardianship cases and helps ensure proper care and treatment for wards.	II, III	
AB 1421	Thomson	2001	Oppose unless funded	Authorizes a new involuntary outpatient treatment scheme for certain mentally ill persons. Sets forth new court duties for implementing this program.	III	

E. *COURT HOURS*

The council seeks to maintain adequate access to the courts.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 996	Anderson	2009	Oppose	Authorizes the courts to operate on a continuous and ongoing basis, 24 hours per day, seven days per week.	II, III	
AB 1641	Keene	2003	Sponsor	Improves procedures authorizing the Chief Justice to issue orders during an emergency.	I, II, IV	

II. THE JUDICIARY

A. *JUDGESHIPS*

The council is committed to ensuring adequate judicial resources in the courts. The council advocates creation of additional trial and appellate court judgeships in order of most severe need, and pursuant to an orderly statewide review.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 16	Roth	2019	Support and Sponsor	Appropriates $36.5 million from the General Fund to support 25 superior court judgeships that have been authorized by current statute since the passage of AB 159 (Stats. 2007, ch. 722). Requires allocation of those judgeships under uniform criteria outlined in Government Code section 69614(b) to courts with the greatest need.	I, IV	
AB 2446	Obernolte	2018	Sponsor	Specifically, seeks funding for 12 of the remaining 50 unfunded judgeships, assigned to the courts with the greatest need based on the most recently approved Judicial Needs Assessment, plus funding for one appellate justice and staff.	I, IV, VI	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 38	Roth	2018	Sponsor	Adds an additional justice to the Court of Appeal, Fourth Appellate District, Division Two.	I, IV, VI	
AB 414	Medina	2017	Support and Sponsor	Requires that up to four vacant judgeships be allocated from superior courts with more authorized judgeships than their assessed judicial need to superior courts with fewer authorized judgeships than their assessed judicial need.	I, II, III, IV	Enacted as part of budget.
AB 159	Jones	2007	Sponsor	Authorizes the creation of the second set of 50 judgeships, to be allocated pursuant to the council's allocated methodology.	I, II, III, IV	
SB 56	Dunn	2005	Sponsor	Authorizes 50 additional judges based on the uniform criteria and allocation approved by the Judicial Council pursuant to the Judicial Needs Study. Requires the Judicial Council to report to the Legislature biannually on the continuing need for new judgeships and their allocation based on the same uniform criteria.	I, II, III, IV	

B. *JUDICIAL SERVICE*

To ensure the branch's ability to attract and retain highly qualified judges, the council supports appropriate increases to judicial salaries, and an adequate, fully funded judicial retirement plan. The council also seeks ways to improve the administration of justice in areas related to judicial retention, including (1) benefits, wellness subsidies, professional development allowances, personal leave, and supplemental life, disability, or liability insurance; (2) healthcare benefits, including services and programs; (3) compensation and retirement; (4) "quality of judicial life" resources and programs; (5) mentorship programs; and (6) special needs of and programs for new and retired judges.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2322	Daly	2018	Support	Requires the Department of Motor Vehicles, on request, to make confidential the home address of a judge or court commissioner or his or her surviving spouse or child if the judge or court commissioner died in the performance of his or her duties. Requires the department to make confidential the home address of the surviving spouse or child for three years following the death.	II, IV	
AB 2299	Feuer	2012	Support	Authorizes the board of supervisors of a county to establish a program whereby the names of certain public safety officials, including judges and subordinate judicial officers, may be redacted on request from any property record of principal residence that is disclosed to the public.	II	Promotes safety and security of judges and their families.
SB 503	Vargas	2011	Cosponsor	Allows Judges' Retirement System II (JRS II) members who previously served as subordinate judicial officers (SJOs) to purchase JRS II service credit for a fraction of their SJO years.	I	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 1425/ AB 1987	Simitian/ Ma	2010	Oppose unless amended	Prohibits the practice of "pension spiking" by excluding from the calculation of pension benefits out of the ordinary compensation increases paid for the principal purpose of enhancing individuals' pension benefits. Prohibits "double dipping" by requiring at least six months' separation before any employee may return to service.	II, III	Fails to address the unique circumstances of the judicial branch. By failing to exclude judges from the double-dipping provision, interferes with the assigned judges program's ability to retain newly retired judges, and the ability to hire retired commissioners while a court awaits a judicial appointment to a converted commissioner position.
AB 32	Lieu	2009	Support	Enhances Internet privacy protections for judicial officers.	II, III	
AB 545	Walters	2008	Support	Amends the Judges' Retirement System II (JRS II) statute to allow a judge who is on leave from the bench because of active duty service in the military to elect to purchase retirement service credit by repaying his or her missed contributions to JRS II.	II, III	
SB 1187	Ackerman	2006	Sponsor	Permits a judge in the Judges' Retirement System II who leaves judicial office after five or more years of service and is not eligible to retire to elect to receive the amount in his or her retirement account as an annuity.	II, III	
SB 1364	Battin	2006	Support	Protects privacy of judicial officers.	II, III	
AB 1035	Spitzer	2005	Support	Prohibits any state or local agency from hosting or providing service to an Internet website that posts a public safety official's home address or telephone number.	II, III	
AB 1595	Evans	2005	Support	Prohibits selling or trading for value on the Internet the home address or telephone number of any elected or appointed official has made a written demand to not disclose his or her home address or telephone number.	II, III	
SB 506	Poochigian	2005	Support	Extends existing voter registration confidentiality programs to include a public safety official.	II, III	
SB 528	Ackerman and Dunn	2005	Cosponsor	Declares the Legislature's intent to evaluate the impact of trial court unification on the judges' retirement systems and the resulting increase in the judges' ages at the start of their judicial service.	II, III	
AB 2905	Spitzer	2004	Support	Requires that an employing governmental entity reimburse moving and relocation expenses if it is necessary to move because a judge or court commissioner has received a credible threat that a life-threatening action may be taken against him or her or his or her immediate family as a result of his or her employment.	II, III	Improve quality of judicial service.
AB 2688	Alquist	2002	Support	Establishes a burial benefit in the amount of $7,500, subject to cost-of-living increases, for all active and retired judges.	III	

C. *SELECTION AND ELECTION OF JUDGES*

The council seeks to avoid politicizing the election process, and supports a process that is fair and clear to candidates and informative to voters.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 362	Lowenthal	2011	Support	Revises the number of signatures needed for placing an uncontested judicial election on the ballot for a potential write-in contest. 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.	I, II	
ACA 1	Nation	2001	Oppose	Eliminates elections to fill judicial vacancies, providing instead that the Governor shall fill vacancies. Provides that all judges appear on the ballot uncontested, with the question presented whether the candidate shall be elected.	II, III	

D. *COMMISSIONERS, REFEREES, AND TEMPORARY JUDGES*

The council supports clarification of the status, powers, and duties of commissioners, referees, and hearing officers.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1692	Committee on Judiciary	2017	Cosponsor	Ratifies the authority of the Judicial Council to convert up to 10 subordinate judicial officer (SJO) positions to judgeships in fiscal year 2016–17, where the conversion results in a judge being assigned to family or juvenile law matters previously assigned to subordinate judicial officers.	I, II, IV	
AB 159	Jones	2007	Sponsor	Authorizes the conversion of 162 subordinate judicial officer positions to judgeships upon vacancy.	I, II, IV	

III. PROCEDURAL LAW

A. *APPELLATE PROCEDURE*

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 1065	Monning	2016	Oppose	Requires a Court of Appeal to issue its decision no later than 100 days after the notice of appeal is filed in an appeal of an order dismissing or denying a petition to compel arbitration in a case involving a claim under the Elder Abuse and Dependent Adult Civil Protection Act where a party has been granted a trial preference. Provides that a Court of Appeal may grant an extension of time in such an appeal only if good cause is shown and the extension will promote the interests of justice. Requires the Judicial Council to adopt rules of court to implement this act, and to also establish a shortened notice-of-appeal period in such cases.	I, II	Interferes with court administration and access to justice.
AB 825	Rendon and Stone	2015	Oppose	Fundamentally changes the process of judicial review of Public Utilities Commission decisions by shifting review from the Courts of Appeal and Supreme Court to the Los Angeles and San Francisco superior courts.	III	Interferes with court administration.
AB 1932	Jones	2014	Neutral	Requires a judgment of the appellate division of the superior court in an appeal to contain a brief statement of the reasons for the judgment, and provides that a judgment stating only "affirmed" or "reversed" is insufficient for this purpose.	II, IV	Increases public trust and confidence in the court system by making decisions more transparent.

B. *CIVIL PROCEDURE*

The council supports measures that reduce delay and make court operations more efficient. The council seeks to protect the exercise of judicial discretion in matters of civil litigation. The council generally supports judicial arbitration and other alternative dispute resolution (ADR) programs and procedures that are likely to assist in the equitable disposition of cases, but advocates for limits on the use of court-ordered discovery references to exceptional circumstances.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 734	Bonta	2018	Oppose	Among other things, requires the Judicial Council to adopt a rule of court by September 1, 2019, to establish procedures governing CEQA actions challenging a specified Oakland Sports and Mixed-Use Project that requires the actions and any appeals therefrom to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court.	I, III	Interferes with court administration and access to justice.
AB 987	Kamlager-Dove	2018	Oppose	Among other things, requires the Judicial Council to adopt a rule of court by July 1, 2019, to establish procedures governing CEQA actions challenging a specified sports and entertainment project in the City of Inglewood that requires the actions and any appeals therefrom to be resolved, to the extent feasible, within 270 days of the certification of the record of proceedings.	I, III	Interferes with court administration and access to justice.
AB 1905	Grayson	2018	Oppose	Prohibits a court in a judicial action or proceeding under the California Environmental Quality Act from staying or enjoining a specified transportation project unless the court finds either of the following: (1) the continued construction or operation of the transportation project presents an imminent threat to public health and safety; or (2) the transportation project contains unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continued construction or operation of the transportation project, unless the court stays or enjoins the construction or operation of the transportation project. Specifies that if the court finds that either of the above criteria is satisfied, the court must enjoin only those specific activities that are associated with the transportation project and that present an imminent threat to public health and safety or that materially, permanently, and adversely affect unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values.	I, III	Interferes with court administration and access to justice.
AB 2185	Chiu	2018	Neutral	Authorizes a court to appoint a guardian ad litem under a pseudonym under specified conditions.	IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2230	Berman	2018	Support	Provides that in lieu of a separate statement in connection with a motion to compel further responses to discovery requests, the court may (but is not required to) allow a moving party to submit a concise outline of the discovery request and each response in dispute. Delays the operative date of the above permissive separate statement provisions to January 1, 2020. Extends from 60 to 75 days the respective timelines for the court to rule on a motion for a new trial and a motion to set aside and vacate the judgment.	IV	
AB 2267	Wood	2018	Oppose	Requires the Judicial Council, on or before July 1, 2019, to amend certain rules of court to establish procedures applicable to actions or proceedings brought under the California Environmental Quality Act seeking judicial review of the certification of an environmental impact report or the adoption of a negative declaration or mitigated negative declaration for the adoption or amendment of a specified plan (referred to as the "RED Area Plan") in the City of Santa Rosa. Requires that the actions or proceedings, including any potential appeals therefrom, be resolved, to the extent feasible, within 270 days of the certification of the record of proceedings.	I, III	Interferes with court administration and access to justice.
AB 2586	Melendez	2018	Oppose	Prohibits a court in a judicial action or proceeding under the California Environmental Quality Act from staying or enjoining specified housing development projects unless the court finds either of the following: (1) the continued construction or operation of the housing development project presents an imminent threat to public health and safety; or (2)the housing development project site contains unforeseen important Native American artifacts or unforeseen important historical or archaeological values that would be materially, permanently, and adversely affected by the continued construction or operation of the project unless the court stays or enjoins the construction or operation of the project. Specifies that if the court finds that either of the above criteria is satisfied, the court must enjoin only those specific activities that are associated with the housing development project and that present an imminent threat to public health and safety or that materially, permanently, and adversely affect unforeseen important Native American artifacts or unforeseen important historical or archaeological values.	I, III	Interferes with court administration and access to justice.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 922	Nguyen	2018	Oppose	Among other things, requires the Judicial Council, on or before July 1, 2019, to adopt a rule of court to establish procedures applicable to actions or proceedings brought under the California Environmental Quality Act seeking judicial review of an environmental impact report for specified affordable student housing projects. Requires that the actions or proceedings, including any potential appeals therefrom, be resolved, to the extent feasible, within 365 days of the lodging with the court of the certified record of proceedings. Also prohibits a court from staying or enjoining the siting, construction, or operation of the affordable student housing project unless the court finds either of the following: (1) the continued construction or operation of the project presents an imminent threat to public health and safety; or (2) the project site contains unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continued construction or operation of the project unless the court stays or enjoins the construction or operation of the project. Further provides that if the court makes either of the above findings, the court must enjoin only those specific activities that are associated with the project and that present an imminent threat to public health and safety or that materially, permanently, and adversely affect unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values.	I, III	Interferes with court administration and access to justice.
SB 948	Allen	2018	Oppose	Authorizes the Governor to certify updates to a community plan and the accompanying ordinances meeting specified requirements as being eligible for the CEQA expedited judicial review benefits of Assembly Bill 900 (Stats. 2011, ch. 354).	I, III	Interferes with court administration and access to justice.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 1340	Glazer	2018	Oppose	Requires the Judicial Council, on or before July 1, 2019, to adopt a rule of court to establish procedures applicable to actions or proceedings brought under the California Environmental Quality Act seeking judicial review of an environmental impact report and approvals granted for a housing project. Requires that the actions or proceedings, including any appeals therefrom, be resolved, to the extent feasible, within 270 days of certification of the record of proceedings. Prohibits a court from staying or enjoining the siting, construction, or operation of the housing project unless the court finds either of the following: (1) the continued construction or operation of the project presents an imminent threat to public health and safety; or (2) the project site contains unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continued construction or operation of the project unless the court stays or enjoins the construction or operation of the project. Specifies further that if the court finds that either of the above criteria is satisfied, the court must enjoin only those specific activities that are associated with the project and that present an imminent threat to public health and safety or that materially, permanently, and adversely affect unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values.	I, III	Interferes with court administration and access to justice.
AB 30	Caballero	2017	Oppose	Among other things, prohibits a court in a judicial action or proceeding under the California Environmental Quality Act from enjoining a qualified strip mall conversion housing project, as defined, unless the court finds either of the following: (1) the continuation of the project presents an imminent threat to the public health and safety; or (2) the project site contains unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continuation of the project unless the courts stays or enjoins the project.	I, III	Interferes with court administration and access to justice.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 73	Chiu	2017	Oppose	Among other things, requires the Judicial Council, on or before July 1, 2018, to adopt a rule of court to establish procedures applicable to actions or proceedings brought pursuant to the California Environmental Quality Act to attack, review, set aside, void, or annul a public agency's certification of the environmental impact report for the designation or the approval of the designation of a housing sustainability district. Requires the actions or proceedings, including any potential appeals therefrom, be resolved, to the extent feasible, within 270 days of certification of the record of the proceeding.	I, III	Interferes with court administration and access to justice.
AB 246	Santiago	2017	Oppose	Among other things, extends for two years the expedited California Environmental Quality Act (CEQA) judicial review procedures established by AB 900 (Stats. 2011, ch. 354). Requires the courts to resolve CEQA lawsuits on AB 900 projects within 270 days, to the extent feasible, from the date the certified record of proceedings is filed with the court.	I, III	Interferes with court administration and access to justice.
AB 644	Berman	2017	Support	Extends the meet and confer requirements under the demurrer statute to both a motion for judgment on the pleadings and a motion to strike.	IV	
AB 905	Maienschein	2017	Support	Revises and recasts the procedures for California courts to recognize money judgments of courts from other states, foreign countries, and tribal courts. Among other things, eliminates the Tribal Court Civil Money Judgment Act's sunset date, thereby extending its provisions indefinitely.	III, IV	Improves administration of justice.
AB 976	Berman	2017	Sponsor	Among other things, the civil procedure provisions of the bill: (1) authorize the use of electronic signatures for signatures made under penalty of perjury on electronically filed documents; (2) provide for a consistent effective date of electronic filing and service across courts and case types; (3) consolidate the mandatory electronic filing provisions; (4) clarify the application of section 1010.6's electronic service provisions in sections 664.5 and 1011; and (5) codify provisions that are currently in the California Rules of Court on mandatory electronic service, effective date of electronic service, protections for self-represented persons, and proof of electronic service.	II, IV	Improves administration of justice.
SB 699	Galgiani	2017	Oppose	Extends for two years the expedited California Environmental Quality Act judicial review procedures established by AB 900 (Stats. 2011, ch. 354).	I, III	Interferes with court administration and access to justice.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 785	Wiener	2017	No position	Among other things, seeks to prevent irrelevant information about a person's immigration status from being divulged in open court and included in specified public court records. Prohibits parties to a civil or criminal action from disclosing evidence regarding the immigration status of any other party or witness in open court, unless the party first requests a confidential, in-camera hearing and ruling by the judicial officer presiding over the case as to whether the evidence is relevant and not inadmissible. Prohibits *in criminal cases* evidence of a person's immigration status from being included in public court records, except as authorized by the court pursuant to the above-described, confidential, in-camera hearing procedure.	I, IV	
SB 789	Bradford	2017	Oppose	Among other things, requires the Judicial Council, on or before July 1, 2018, to adopt a rule of court to establish procedures applicable to actions or proceedings brought pursuant to the California Environmental Quality Act seeking judicial review of an environmental impact report and approvals granted for a project related to the development of a specified sports and entertainment project in the City of Inglewood. Requires the actions or proceedings, including any appeals therefrom, be resolved, to the extent feasible, within 270 days of certification of the record of proceeding. Prohibits a court from staying or enjoining the construction or operation of the project unless the court finds either of the following: (1) the continued construction or operation of the project presents an imminent threat to the public health and safety; or (2) the project site contains unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continued construction or operation of the project.	I, III	Interferes with court administration and access to justice.
AB 1298	Gipson	2016	Oppose	Among other things, requires the Judicial Council to adopt a rule of court to establish procedures applicable to actions or proceedings brought pursuant to the California Environmental Quality Act seeking judicial review of a public agency's action in granting project approval for the stadium project. Requires the actions or proceedings, including any appeals therefrom, be resolved, to the extent feasible, within 270 days of certification of the record of proceeding. Prohibits a court from staying or enjoining the implementation of the stadium project unless the court makes specified findings.	I, III	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1473	Salas	2016	Oppose	Extends for four years the sunset on AB 900 (Stats. 2011, ch. 354), which provides for expedited judicial review of certain cases filed under the California Environmental Quality Act.	I, III	
SB 734	Galgiani	2016	Oppose	Extends for two years the sunset on the expedited judicial review provisions in AB 900 (Stats. 2011, ch. 354) that apply to specified cases filed under the California Environmental Quality Act.	I, III	Interferes with court administration and access to justice.
AB 311	Gallagher	2015	Oppose	Among other things, requires the Judicial Council, on or before July 1, 2016, to adopt a rule of court to establish procedures applicable to actions or proceedings seeking judicial review of a public agency's action in certifying the environmental impact report and in granting project approval for those projects that require the actions or proceedings, including any appeals therefrom, be resolved, to the extent feasible, within 270 days of the certification of the record of proceedings. Prohibits a court from staying or enjoining those water projects unless the court makes specified findings.	I, III	Interferes with court administration and access to justice.
AB 432	Chang	2015	Support	Aligns the Code of Civil Procedure with the rules of court that define "electronic signature" and authorizes their use by courts and judicial officers. Provides that an electronic signature by a court or judicial officer shall be effective as an original signature.	IV	
AB 455	Bigelow	2015	Oppose	Among other things, requires the Judicial Council, on or before July 1, 2016, to adopt a rule of court to establish procedures applicable to actions or proceedings brought to attack, review, set aside, void, or annul the certification of an environmental impact report for projects covered by a groundwater sustainability plan that require the actions or proceedings be resolved within 270 days of certification of the record of proceeding. Prohibits a court from staying or enjoining those projects unless the court makes specified findings.	I, III	Interferes with court administration and access to justice.
AB 641	Mayes	2015	Oppose	Among other things, requires the Judicial Council, on or before July 1, 2016, to adopt a rule of court to establish procedures applicable to actions or proceedings brought pursuant to the California Environmental Quality Act seeking judicial review of a public agency's action in granting project approval for specified housing development projects. Requires the actions or proceedings, including any appeals therefrom, be resolved, to the extent feasible, within 270 days of certification of the record of proceeding. Prohibits a court from staying or enjoining those housing development projects unless the court makes specified findings.	I, III	Interferes with court administration and access to justice.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1068	Allen	2015	Oppose	Authorizes each member of the Legislature to nominate one project subject to the California Environmental Quality Act within his or her respective district each year, and the Governor to designate those projects as priority projects if the projects meet specified requirements. Among other things, prohibits a court from staying or enjoining the implementation of a priority project unless the court finds either of the following: (1) the continued construction or operation of the project presents an imminent threat to the public health and safety; or (2) the priority project site contains unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continued construction or operation of the priority project.	I, III	Interferes with court administration and access to justice.
AB 1298	Gipson	2015	Oppose	Among other things, requires the Judicial Council to adopt a rule of court to establish procedures applicable to actions or proceedings brought pursuant to the California Environmental Quality Act seeking judicial review of a public agency's action in granting project approval for the stadium project. Requires the actions or proceedings, including any appeals therefrom, be resolved, to the extent feasible, within 270 days of certification of the record of proceeding. Prohibits a court from staying or enjoining the implementation of the stadium project unless the court makes specified findings.	I, III	Interferes with court administration and access to justice.
SB 127	Vidak	2015	Oppose	Among other things, requires the Judicial Council, on or before July 1, 2016, to adopt a rule of court to establish procedures applicable to actions or proceedings seeking judicial review of a public agency's action in certifying the environmental impact report and in granting project approval for projects funded under the Water Bond (Proposition 1) that require the actions or proceedings, including any appeals therefrom, be resolved, to the extent feasible, within 270 days of the certification of the record of proceedings. Prohibits a court from staying or enjoining those water projects unless the court makes specified findings.	I, III	Interferes with court administration and access to justice.
SB 383	Wieckowski	2015	Support	Establishes new requirements for filing, amending, and resolving demurrers. Among other things, requires the parties to meet and confer, in person or by telephone, before the demurring party may file a demurrer. Establishes various streamlined procedures and timelines for the courts and parties to follow to resolve demurrers more efficiently.	IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1659	Chau	2014	Support	Requires that the moving, opposing, and reply briefs and accompanying documents in support of or opposition to a motion for judgment notwithstanding the verdict or in support or opposition to a motion to set aside and vacate a judgment be served and filed in accordance with the deadlines applicable to a motion for new trial.	IV	
SB 1398	Cannella	2014	Oppose	Prohibits a court, in an action brought pursuant to the California Environmental Quality Act challenging certain maintenance activities along the Salinas River from staying or enjoining such maintenance activities unless those activities present an imminent threat to public health and safety or would materially, permanently, and adversely affect unforeseen important Native American artifacts, or unforeseen important historical, archaeological, or ecological values.	I, III	Interferes with court administration and access to justice.
AB 756	Melendez	2013	Oppose; appellate courts are not designed for this process, and it's an inefficient use of judicial resources.	Expands the expedited judicial review procedures enacted by AB 900 (Stats. 2011, ch. 354) to public works projects, as defined.	II	
AB 1167	Dickinson	2013	Support	Clarifies the procedures for levying officers to follow in their efforts to enforce judgments where the underlying writ of execution was issued by the court in an electronic form. Among other things, details the specific information that must be included in a judgment creditor's instructions to the levying officer in such cases. Makes clear that the levying officer may generally proceed in the same manner as if in possession of a paper version of the original writ.	III, IV	
AB 1875	Gatto	2012	No position	Specifies that, unless otherwise ordered by the court, a deposition in a civil case would generally be limited to one day of 7 hours of total testimony. Provides that the court shall allow additional time if needed to fairly examine the deponent or if the deponent, another person, or any other circumstance impedes or delays the examination. Exempts specified individuals and cases.	II, III	
AB 2106	Wagner	2012	Support	Clarifies the time for bringing a motion for a new trial and a motion to set aside and vacate a judgment.	IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 1214	Cannella	2012	Oppose	Expands the types of projects that would be eligible for expedited judicial review by requiring all CEQA challenges to projects located in a "distressed county" (except for high-speed rail projects) be filed directly with the Court of Appeal with geographic jurisdiction over the project.	I, III	Interferes with court administration and access to justice.
AB 1403	Committee on Judiciary	2011	No position	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 authorizes 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.	IV	
AB 5	Evans	2009	Sponsor	Amends the Civil Discovery Act to expressly authorize the discovery of electronically stored information, and authorizes the "copying, testing or sampling" of such information. Allows a party to specify the form in which electronically stored information is to be produced, and if no form is specified, the responding party must produce the information in the form or forms in which it is ordinarily maintained or in a form that is reasonably usable. Establishes procedures for motions to compel and motions for protective orders relating to the discovery of electronically stored information. Sets forth a procedure for handling disputes over the production of electronically stored information that is subject to claims of privilege or attorney work-product protection.	III, IV	Improves administration of justice.
AB 839	Emmerson	2009	Support	Requires Medi-Cal service providers with a complaint or grievance concerning the processing or payment of money that the provider alleges is payable under the Medi-Cal program to follow specified Department of Health Care Services complaint procedures. In lieu of allowing providers to seek "appropriate judicial remedies" to appeal the department's decision, instead specifies that the provider who has complied with these procedures may, within the time period prescribed in existing law, file a petition for a writ of mandate pursuant to section 1085 of the Code of Civil Procedure in the superior court.	III, IV	Improves administration of justice.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 259	Benoit	2009	Oppose	Provides that, if a court voids any results of a homeowners' association election for one or more Common Interest Development (CID) board members, the court shall not invalidate a decision of the board that was reached after the board was seated pursuant to that election unless the court finds that the action of the board was contrary to law or the governing documents.	II	Interferes with court discretion.
AB 225	Beall	2008	Support	Re-enacts the elder abuse protective orders statute and expands its scope to allow the court, in its discretion, on a showing of good cause, to extend the protection to include the petitioner's named family or household members, as well as the petitioner's conservator. Provides that a petitioner shall not be required to pay a fee for law enforcement to serve a protective order issued pursuant to the bill's provisions.	III, IV	Enhances court's ability to provide protection to elder abuse victims, and improves access to justice.
AB 2193	Tran	2008	Support	Enacts the Interstate and International Depositions and Discovery Act. Creates a process for the resolution of a dispute regarding discovery conducted in California in connection with an out-of-state proceeding, and provides that a request for relief in this regard would be filed in the superior court in the county in which the discovery is sought, with payment of specified fees. Permits a party to appeal court orders in connection with a dispute by extraordinary writ to the appropriate Court of Appeal.	IV	Improves administration of justice and enhances court administration.
AB 2379	Evans	2008	Oppose	Provides that an appeal from an order granting or denying a motion to seal or unseal a court record may be made by filing an extraordinary writ petition or notice of appeal. If a party seeks an appeal, requires that the record relating to the matter and the opening brief be filed within 30 days of notice of entry of the trial court's order. Requires the clerk of the reviewing court to set the appeal for a hearing on the first available court date.	II	Interferes with appellate court calendaring authority.
SB 1608	Corbett, Harman, Steinberg, Runner, and Calderon	2008	Neutral	Requires a court, in civil actions involving construction-related accessibility claims, to issue an order, upon request, that grants a 90-day stay of the action and schedules a mandatory early evaluation conference (EEC) if the defendant has satisfied certain requirements relating to inspection of the site at issue by a certified access specialist. Provides that the court must schedule an EEC between 21 and 50 days after issuance of the stay order, and requires that EECs be conducted by a superior court judge or commissioner, or a court early evaluation conference officer, as defined.	IV	Encourages early resolution of these cases.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 500	Lieu	2007	Support	Specifies generally that a party may appear by telephone in all general civil cases at case management conferences and other specified conferences, hearings, and proceedings. Provides that a court may require a party to appear in person at such hearings, conferences, or proceedings if the court determines, on a hearing-by-hearing basis, that a personal appearance would materially assist in the determination of the proceedings or in the effective management or resolution of the particular case.	I, IV	Improves access to the courts and conserves resources.
AB 1264	Eng	2007	Neutral	Prohibits delay reduction rules from requiring the severance of unnamed defendants prior to the conclusion of the introduction of evidence at trial, except on stipulation or motion of the parties.	IV	Improves administration of justice.
AB 2303	Committee on Judiciary	2006	Sponsor (of specified provisions)	Clarifies the procedures governing a change of name; makes service times for elder abuse protective orders consistent with other protective orders; authorizes courts to receive notice to appear citations for non-parking Vehicle Code violations electronically if the court has the ability to receive the information and reproduce it in a printed form; and extends the sunset date on existing statutory authority for courts to impose modest monetary sanctions on jurors who fail to respond to a jury summons.	IV	Improves administration of justice and enhances court administration.
SB 1116	Scott	2006	Support	Increases court oversight of moves of conservatees and the sale of their homes.	IV	Improves the court's ability to provide oversight of these cases.
SB 1550	Figueroa	2006	Support	Enacts the Professional Fiduciaries Act, which establishes in the Department of Consumer Affairs a new licensure scheme governing professional conservators, guardians, and other fiduciaries.	IV	Improves the court's oversight of these cases.
AB 355	Tran	2005	Oppose	Authorizes the court in any action involving joint and several liability to "instruct the jury on the effect of finding any party, including, but not limited to, the State of California, partially liable."	II, III	Would create confusion; interferes with judicial function.
AB 496	Aghazarian	2005	Support if amended	Requires the clerk to maintain the original summons in the court file.	III	Improves court administration and conserves resources.
AB 1322	Evans	2005	Cosponsor	Modifies grounds for disqualification to require more than casual discussions regarding prospective employment with providers of alternative dispute resolution services.	II, IV	Avoids unnecessary disqualifications of judges.
AB 1742	Committee on Judiciary	2005	Sponsor	Deletes the sunset on Code of Civil Procedure section 128.7, thereby continuing the courts' ability to impose sanctions for the filing of frivolous lawsuits. Clarifies and streamlines small claims court procedures, extends the sunset of the security fee, and requires that acceptance of an offer to compromise a lawsuit must be in writing.	III, IV	Improves administration of justice and enhances court administration.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 575	Torlakson	2005	Oppose unless amended	Establishes calendar preference for actions to enforce provisions of the "Anti-NIMBY" law.	II, III	Interferes with court administration.
AB 3078	Committee on Judiciary	2004	Sponsor	Makes several noncontroversial changes to the statute governing the times for service and filing of motion papers, as well as clarifying the cutoff date for discovery in civil cases. Also clarifies standing of emancipated minors in small claims court, and clarifies to whom a clerk must provide notice when a check for filing fees has been returned for nonpayment.	III, IV	Improves administration of justice and enhances court administration.
SB 1249	Morrow	2004	Oppose	Provides that the word "hearing," when applied to any demurrer, motion, or order to show cause, signifies oral argument by moving and opposing parties on a record amenable to written transcription which shall be had unless affirmatively waived by the parties.	II, IV	Unnecessary; interferes with judicial function.
AB 2321	Hertzberg	2002	Sponsor	Clarifies the process for tort claims filed against judicial branch entities.	III	Eliminates confusion and streamlines the handling of cases.
AB 3027	Committee on Judiciary	2002	Sponsor	Makes various improvements to civil procedure.	III	Improves administration of justice and enhances court administration.

1. *Alternative dispute resolution*

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1123	Mayes	2015	Support	Authorizes, but does not require, a county that has established and is operating a program under the Dispute Resolution Program Act to contract with the superior court of the county to transfer operation of the program to the court.	III, IV	
AB 202	Harman	2005	Support	Provides that filing a petition to compel arbitration pursuant to Code of Civil Procedure section 1281.2 is the exclusive means by which a party to an arbitration agreement may seek to compel arbitration of a controversy alleged to be subject to that arbitration agreement.	III, IV	Would conserve judicial resources by eliminating unnecessary side litigation over issue.

2. *Disqualification motions (170.6)*

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1894	Monning	2010	Support	Extends, for civil cases only, the time period for moving to disqualify a judge from 10 to 15 days and requires the moving party to notify all other parties within 5 days of making the motion.	II, IV	Clarifies timeline for bringing motions, which should help avoid confusion.

3. *Miscellaneous*

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 3248	Committee on Judiciary	2018	Support	Removes the July 1, 2019, repeal date on the statutory procedures governing mandatory expedited jury trials in limited civil cases, thereby extending these provisions indefinitely.	I, III, IV	Enhances access to justice and increases efficiency of handling small civil cases.
AB 555	Alejo	2015	Support	Modifies existing procedures governing voluntary expedited jury trials to provide that each party has up to 5 hours to complete voir dire and present its cases and adds new provisions that require most limited civil cases to be conducted as expedited jury trials.	I, III, V	Enhances access to justice and increases efficiency of handling small civil cases.
AB 1390/ SB 226	Alejo Pavley	2015	Support	This package of bills provides a modern, comprehensive adjudication process for all groundwater basins regulated under the Sustainable Groundwater Management Act (SGMA), and it would be an option for basins that are not. These bills will (1) make the adjudication process more cost-effective, (2) ensure that the process is fair, and (3) harmonize the process with SGMA to ensure that parties have a forum to determine their water rights but do not use it to obstruct or delay SGMA.	IV	
SB 406	Evans	2014	Sponsor	Establishes the Tribal Court Civil Money Judgment Act to govern the process by which a party could seek recognition of a tribal court civil money judgment in California state courts.	I, IV	
AB 2073	Silva	2012	Support	Authorizes the Superior Court of Orange County, until July 1, 2014, to adopt a local rule of court that would establish a pilot project mandating parties to civil actions identified by the court to electronically file and serve documents. Requires the Judicial Council to adopt uniform rules that would permit trial courts throughout the state to mandate electronic filing and service of documents in civil cases.	III	
AB 2274	Lara	2012	Support	Extends the vexatious litigant statute to pro per parties who had legal representation at the time of filing their lawsuits.	I	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 731	Committee on Judiciary	2012	Sponsor	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; and 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.	III	
AB 2119	Tran	2010	Support	Provides that when any law governing civil procedure requires an act to be performed no later than a specified number of days before a hearing date, the last day to perform that act shall be determined by counting backward from the hearing date, excluding the date of the hearing.	IV	
AB 2284	Evans	2010	Support	Establishes the Expedited Jury Trials Act. Among other things, defines expedited jury trial as a binding jury trial before a reduced jury panel and judicial officer. Requires the Judicial Council, by January 1, 2011, to adopt implementing rules and forms. Makes the act operative until January 1, 2016.	I, III, IV	
SB 1274	Committee on Judiciary	2010	Sponsor	Authorizes service by electronic notification by defining electronic service to include both electronic transmission and electronic notification. Authorizes electronic service of all types of documents and expands the courts ability to serve certain documents electronically.	III, IV	

4. *Small claims* – The council advocates a small claims court system that provides a speedy, fair, and inexpensive alternative for resolving conflicts of low monetary value. The council supports adequate funding for small claims human resources in all counties.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 221	Simitian	2011	Support	Increases small claims court jurisdiction for actions brought by natural persons from $7,500 to $10,000.	I	Enhances access to the courts.
AB 712	Evans	2009	Support	Specifies that a small claims court has jurisdiction over an action for an injunction or other equitable relief when a statute expressly authorizes a small claims court to award that relief. Expressly provides that this legislation does not expand and is not encouraging the expansion of the jurisdiction of the small claims court.	I, IV	Improves administration of justice.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1873	Lieu	2008	Sponsor	Clarifies that a court is authorized to charge the same fees for postjudgment motions related to the enforcement of a small claims judgment as a court charges for the enforcement of a regular civil judgment. Authorizes a court to charge and collect a nonrefundable postponement fee of $10 from either party who makes more than one *pre-service* request to postpone a small claims trial. Provides that this fee would only be assessed after a party has already been granted one prior postponement.	III, IV	Improves administration of justice and enhances court administration.
AB 2846	Feuer	2008	Support	Provides that if a dispute exists between the owner of a separate interest and a homeowners' association regarding any disputed charge or sum levied by the association, and the amount in dispute does not exceed the jurisdictional limits of the small claims court, the owner of the separate interest may pay under protest the disputed amount and all other amounts levied, including certain fees, costs, and other specified amounts, and commence an action in small claims court.	I, IV	Improves access to the courts.
SB 1432	Margett	2008	Support	Increases the jurisdiction of the small claims court from $4,000 to $6,500 for any action brought by a natural person against a defendant guarantor that charges a fee for its guarantor or surety services.	I, IV	Improves access to the courts.
AB 2455	Nakanishi	2006	Support	Provides that the small claims court has jurisdiction in an action brought by a natural person against the Registrar of the Contractors State License Board as the defendant guarantor holding a contractor's cash deposit if the amount of the demand does not exceed $7,500.	I, IV	Enhances access to the courts.
AB 1459/ SB 422	Canciamilla/Simitian	2005	Oppose unless amended, support if amended	Increases the jurisdiction in small claims court from $5,000 to $7,500 for actions brought by *natural persons*.	I, III, IV	Enhances access to the courts by raising jurisdictional amount to $7,500; opposition to proposal to expand jurisdiction to $10,000 because too much complexity for small claims.

5. *Summary adjudication/summary judgment*

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1141	Chau	2015	Support section 1; no position on section 2	Reinstates the provisions in Code of Civil Procedure (CCP) section 437c that allowed a party to file a motion for partial summary adjudication. Amends CCP section 998, the statute that governs settlement offers and costs, by requiring the defendant to pay a reasonable sum to cover expert witness costs, whether or not the costs arose post-offer, in cases where the defendant failed to obtain a more favorable judgment or award.	III, IV	
SB 470	Jackson	2015	Sponsor	Provides that in granting or denying a motion for summary judgment or summary adjudication, the court need rule only on those objections to evidence that it deems material to its disposition of the motion, and that objections to evidence that are not ruled on for purposes of the motion are preserved for appellate review.	III, IV	
SB 384	Evans	2011	Support	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. Does this 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. Clarifies the law governing fees in complex civil cases.	III, IV	
AB 2961	Wayne	2002	Oppose	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, if brought upon stipulation of the parties whose claims or defenses are put at issue by the motion.	II	Interferes with court's management of litigation.

6. *Unlawful detainer* – The council supports efforts to reduce delays and abuses in unlawful detainer actions, and seeks to ensure that processes are not overly burdensome to the courts.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2819	Chiu	2016	Neutral	Makes various changes to the law governing masking of records in unlawful detainer (UD) proceedings. Among other things, the bill provides that the court clerk shall allow access to UD civil case records to any person 60 days after the complaint has been filed if the plaintiff prevails in the action within 60 days of the filing of the complaint. If a default or default judgment is set aside more than 60 days after the complaint has been filed, the above masking rule shall apply as if the complaint has been filed on the date the default or default judgment is set aside. The court clerk shall allow access to UD civil case records to a person by order of the court if judgment is entered for the plaintiff after trial more than 60 days since the filing of the complaint. In conjunction with the entry of judgment for the plaintiff in the above instance, the court must also issue an order unsealing the records. The bill clarifies that its provisions do not prohibit the court from issuing an order that bars access to the court record in a UD case if the parties to the action so stipulate. Finally, the bill allows (but does not require) the court to dismiss the action without prejudice if 60 days elapse after the complaint is filed and no proof of service of the summons has been filed.	I, II, IV	
AB 1126	Eng	2007	Support	Provides that in unlawful detainer actions and other specified summary proceedings involving the possession of real property, a discovery motion may be made at any time upon giving five days' notice. Requires the Judicial Council to adopt rules prescribing the time for the filing and service of opposition and reply papers relating to specified motions filed in connection with the above summary proceedings.	II, IV	Improves administration of justice.
AB 664	Jones	2005	Support	Allows the court to list legal service providers not funded by the federal Legal Services Corporation on unlawful detainer notices.	I, IV	Ensures best information on legal service providers for UD defendants.
SB 345	Kuehl	2003	Oppose unless amended	Denies access to unlawful detainer records until 60 days following the date final judgment has been entered in favor of the landlord after a trial or summary judgment motion.	III	Administrative record-keeping requirements unduly burdensome on the courts.

7. *Calendar preferences*

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 281	Frazier	2019	Oppose	Requires CEQA actions or proceedings, including any appeals therefrom, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court.	II	Bill was subsequently amended to remove all CEQA-specific provisions.
AB 490	Salas	2019	Oppose	Requires CEQA actions or proceedings, including any appeals therefrom, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court. Prohibits a court from staying or enjoining the construction or operation of these projects as specified.	II	Bill was subsequently amended to remove prohibitions from staying or enjoining on court.
AB 1244	Fong	2019	Oppose	Prohibits, as specified, a court in a judicial action or proceeding under the CEQA from staying or enjoining a housing project for which an environmental impact report has been certified.	II	
AB 1648	Levine	2019	Oppose	Requires CEQA actions or proceedings, including any appeals therefrom, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court.	II	Bill was subsequently amended to remove all CEQA-specific provisions.
SB 384	Morrell	2019	Oppose	Requires CEQA actions or proceedings, including any appeals therefrom, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court. Prohibits a court from staying or enjoining the siting, construction or operation of these housing projects, as specified.	II	
SB 621	Glazer	2019	Oppose	Requires CEQA actions or proceedings, including any appeals therefrom, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court.	II	
SB 744	Caballero	2019	Oppose	Requires CEQA actions or proceedings, including any appeals therefrom, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court.	II	Bill was subsequently amended to address a different topic.

C. *CRIMINAL PROCEDURE*

1. *Criminal and capital case processing* – The council seeks to expedite the resolution of criminal cases at the trial and appellate level. The council seeks to maintain the courts' ability to efficiently and effectively manage the procedures and administration of the court system while improving the delivery of justice to the public, and to protect the exercise of the judicial discretion in criminal cases.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 607	Carrillo	2019	Oppose, unless amended	Deletes various crimes relating to controlled substances from the prohibitions against granting probation or a suspended sentence. Authorizes the remaining prohibitions on probation to be waived by a court in the interests of justice. Requires the court to both specify on the record and enter into the minutes the circumstances supporting the findings when probation is granted under those provisions.	III	
AB 1076	Ting	2019	Oppose, unless funded	Among other things, requires the Department of Justice (DOJ), on a monthly basis, to review the state summary criminal history repository to find individuals with felony, misdemeanor, and infraction convictions dating back to January 1, 1973, who may be eligible, except in limited circumstances, to have their case records withheld from public disclosure. Requires the DOJ to notify courts of eligible cases on a monthly basis. Allows prosecuting attorneys, for cases resolved on or after January 1, 2018, to file a motion to prohibit the DOJ from requesting that the court withhold the case from public release. If the court grants that motion, ensures that the case remain available to the public, with the person still eligible to petition to have the case withheld through existing statutes. Requires a court, at the time of sentencing, to advise each defendant of the defendant's right to conviction relief under the bill.	VII	
AB 1331	Bonta	2019	Oppose, unless amended, to specify realistic delayed implementation date, and funded	Requires courts monthly to report the Criminal Information and Identification (CII) number and court docket number, in addition to case disposition information that existing law requires courts to report to the Department of Justice. Requires a criminal justice agency, when filing a case with the court, to include the CII number in the filing, and provides for a delayed operative date of July 1, 2020.	VII	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1636	Bonta	2019	Oppose	Authorizes a person charged by complaint with a felony to, at the time of arraignment, make a motion for a determination of probable cause on each count charged, which shall be made by the court immediately on the basis of the complaint, warrant, police reports, or other documents of similar reliability, or may be continued for not more than three days for good cause. Requires the court to dismiss any count charged for which the court does not make a finding of probable cause. Provides that any charge dismissed under such a motion can be refiled. Clarifies that a finding of probable cause under such a motion is not binding on the court in any later hearing for determining probable cause.	IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 36	Hertzberg	2019	Support	Requires each pretrial services agency that uses a pretrial risk assessment tool to validate the tool by January 1, 2021, and on a regular basis thereafter, but no less frequently than once every three years, and to make specified information regarding the tool, including validation studies, publicly available. Requires the Judicial Council to maintain a list of pretrial services agencies that have satisfied those validation requirements and complied with those transparency requirements. Requires the Judicial Council, beginning on December 31, 2020, and on or before December 31 of each year thereafter, to publish a report on its internet website with data related to outcomes and potential biases in pretrial release. Requires pretrial services agencies, the Department of Justice, courts, and local governments that elect to use risk assessment tools to work with the Judicial Council to provide the data necessary for this report. Protects the use of the data by restricting the Judicial Council from sharing any individual-level data unless the council has entered into a contract for research purposes. To ensure sufficient funding for data collection, analysis, and reporting requirements, constrains those provisions of SB 36 to apply solely to agencies receiving funding, as follows: • Pretrial services agencies that have a contractual agreement with one of the pretrial pilot program courts (funded with the Budget Act of 2019 appropriation of $75 million for the pilots). • Agencies otherwise funded by the state to perform risk assessments—for example, if SB 10 goes into effect or the state chooses to expand or continue the pilot projects. • Other agencies that perform risk assessments only if sufficient funding is provided to the Judicial Council, the superior courts, and pretrial services agencies to ensure their ability to meet the data reporting requirements and standards set by the Judicial Council. Requires the Judicial Council, on or before July 1, 2022, to provide a report to the courts and the Legislature containing recommendations to mitigate bias and disparate effect in pretrial decisionmaking.	III, VII	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 389	Hertzberg	2019	Support	Authorizes counties to use Mental Health Services Act moneys to provide services to persons who are participating in a presentencing or postsentencing diversion program or who are on parole, probation, postrelease community supervision, or mandatory supervision.	IV	
SB 471	Stern	2019	Support, if amended	Authorizes a subpoena in a criminal matter to be delivered by electronic mail or facsimile transmission. Requires, for service to be effected, that the witness identify themselves by reference to their DMV-issued identification number, and requires the sender to make a written notation of the fact that the witness made that identification.	III	
SB 516	Skinner	2019	Oppose	Requires a case in which a person is charged with actively participating in a criminal street gang and other criminal charges to be tried in phases that separate the trier of fact's determination of the person's guilt of participation with the criminal street gang and guilt of the other criminal charges.	VII	
SB 557	Jones	2019	Support	Makes all documents submitted to a court under proceedings on competency to stand trial—including examinations, evaluations, recommendations, reports, or certificates of restoration—presumptively confidential, except as otherwise provided by law. Requires that those documents be retained in the confidential portion of the court's file and that counsel for the defendant and the prosecution maintain the report as confidential. Provides that the defendant, counsel for the defendant, and prosecution may inspect the documents and that the court may consider a motion, application, or petition to unseal the documents, in whole or in part, under rule 2.551(h) of the California Rules of Court.	IV	
SB 580	Wilk	2019	Oppose	Requires the court to order a psychological or psychiatric evaluation when a defendant is granted probation for sexually assaulting, poisoning, or improperly caring for an animal; injuring a police dog; maliciously and intentionally injuring an animal; or overworking an animal.	IV	
AB 2526	Rubio	2018	Sponsor	States the procedure for issuing a temporary emergency gun violence restraining order, specifically Penal Code sections 18140 and 18145, replacing the procedural requirement for obtaining an order orally with requirements stated directly within the gun violence prevention statutes. Clarifies the procedures for law enforcement officers and the court to follow, and aligns procedures with those for obtaining a domestic violence emergency protection order.	III	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2710	Obernolte	2018	Sponsor	Promotes procedural efficiencies by streamlining and modernizing the warrant process. Specifically, amends Penal Code sections 817 and 1526 by (1) providing that the warrant signed by the magistrate and received by the officer be deemed the original warrant, (2) no longer requiring the magistrate to print the warrant, and (3) eliminating the oral oath requirement, with the magistrate exercising discretion to call the officer when appropriate.	III	
AB 2988	Weber	2018	No position	Requires the appropriate governmental entity to preserve any object or material that contains or includes biological material. Requires the governmental entity to provide notice of intent to destroy biologics, as specified. Retains the provisions in existing law relating to challenges to notices of intent to destroy biologics.	VI	
SB 10	Hertzberg	2018	Support	Changes the current pretrial release and detention system, moving from a system that determines pretrial release and detention based on criminal charges and monetary bail, to one that is based on criminal charges, assessment of risk to public safety, and potential for failure to return to court.	I, II, IV	
AB 255	Gallagher	2017	Support	When determining the county placement of sexually violent predators, requires the court to consider additional factors if the county of placement is not the county of domicile, including if and how long the person has previously resided or been employed in the county and if the person has next of kin in the county.	I	
AB 411	Bloom	2017	Oppose provision requiring a jury instruction	Requires that if a party makes a showing that the therapy or facility dog and handler are suitably qualified and will reasonably assist the testifying witness, the court shall grant the motion, unless the court finds the use of a therapy or facility dog would cause undue prejudice to the defendant or would be unduly disruptive to the court proceeding. Requires the court, upon request of the parties, to issue an appropriate jury instruction designed to prevent prejudice for or against any party if a therapy dog is used.	II	
AB 532	Waldron	2017	Oppose	Clarifies that a court may collaborate with outside organizations on a program to offer mental health and addiction treatment services, as defined, to women who are charged in a complaint that consists only of misdemeanor offenses or who are on probation for one or more misdemeanor offenses. Specifically excludes from these provisions a woman who is charged with a felony or who is under supervision for a felony conviction.	IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 745	Reyes	2017	Sponsor	Until January 1, 2021, authorizes a presiding judge of a superior court located within the County of Riverside or the County of San Bernardino, if certain conditions are met, to direct a commissioner to perform certain specified duties performed by magistrates, including on-call magistrate duties. Requires the Judicial Council to report to the Governor and Legislature on this expanded authority.	I	
AB 789	Rubio	2017	Sponsor	Allows a court to approve own recognizance release under a court-operated or court-approved pretrial release program for certain arrestees with three or more prior failures to appear.	I, IV	
AB 1541	Kalra	2017	Oppose	Provides that (1) counsel for each party shall have the right to examine, by oral and direct questioning, any of the prospective jurors in order to enable counsel to intelligently exercise challenges for cause; (2) the judge permit liberal and probing examination calculated to discover bias or prejudice with regard to the circumstances of the particular case or the parties before the court and provide that the fact that a topic was included in the judge's examination shall not preclude appropriate questioning in the same area by counsel; (3) the scope of the examination conducted by counsel shall be within reasonable limits prescribed by the judge in the judge's sound discretion; (4) the judge shall not impose specific unreasonable or arbitrary time limits or establish an inflexible time limit policy for voir dire; (5) as voir dire proceeds, the judge shall permit supplemental time for questioning, as specified; and (6) the court shall not arbitrarily or unreasonably refuse to submit reasonable questionnaires before oral questioning commences and that if a questionnaire is used, that the parties be given reasonable time to evaluate the responses to the questionnaires before oral questioning commences. Requires the judge to facilitate the jury selection process and provide the parties with both the alphabetical list and the list of prospective jurors, in the order in which they will be called.	IV	The bill as written is inefficient and burdensome, infringes on judicial discretion, and interferes with the ability of judges to manage their courtrooms.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 238	Hertzberg	2017	Support provision relating to digital records	Among other things, applies existing law relating to certified photographic records of exhibits to digital records of exhibits to (1) allow any party to prepare a digital record of an exhibit before it is disposed of; (2) require that the clerk of the court observe the taking of a digital record of the exhibit and certify the copy of the digital record as being a true, unaltered, and unretouched print of the photographic record taken in the presence of the clerk; and (3) require a duplicate of the photographic or digital record to be delivered to the clerk for certification and defines "photographic" and "duplicate" for these purposes.	VI	
SB 785	Wiener	2017	No position	Among other things, seeks to prevent irrelevant information about a person's immigration status from being divulged in open court and included in specified public court records. Prohibits parties to a civil or criminal action from disclosing evidence regarding the immigration status of any other party or witness in open court, unless the party first requests a confidential, in-camera hearing and ruling by the judicial officer presiding over the case as to whether the evidence is relevant and not inadmissible. Prohibits *in criminal cases* evidence of a person's immigration status from being included in public court records, except as authorized by the court pursuant to the above-described, confidential, in-camera hearing procedure.	I, IV	
AB 813	Gonzalez	2016	Oppose, unless amended	Creates an explicit right for a person no longer imprisoned or restrained to prosecute a motion to vacate a conviction or sentence as specified.	IV	
AB 1272	Grove	2016	Support	Requires that, in scheduling a trial date at an arraignment in superior court where the allegation is that the defendant committed a crime against a person with a developmental disability, courts make reasonable efforts to avoid setting that trial, when that case is assigned to a particular prosecuting attorney, on the same day that another case is set for trial involving the same prosecuting attorney.	I, IV	
AB 1276	Santiago	2016	Support	Authorizes, under specified conditions, a minor 15 years of age or younger to testify by contemporaneous examination and cross-examination in another place and out of the presence of the judge, jury, defendant or defendants, and attorneys if the testimony will involve the recitation of the facts of an alleged offense of human trafficking.	IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1867	Steinorth	2016	Support	Includes within the definition of an "electronically digitized copy" a copy that is made by scanning, photographing, or otherwise exactly reproducing a document, is stored or maintained in a digitized format, and that meets certain requirements.	VI	
AB 1962	Dodd	2016	Support	Requires the Department of State Hospitals (DSH), on or before July 1, 2017, to adopt guidelines for education and training standards for a psychiatrist or licensed psychologist to be considered for appointment by the court to conduct mental competence examinations pursuant to Penal Code section 1369. Directs DSH to convene a workgroup to assist in the development of the guidelines that is comprised of the Judicial Council and other groups or individuals representing judges, defense counsel, district attorneys, counties, advocates for people with developmental and mental disabilities, state psychologists and psychiatrists, professional associations and accrediting bodies for psychologists and psychiatrists, and other interested stakeholders. Clarifies the court's authority to depart from the guidelines in specified cases.	II, IV	
AB 2013	Jones-Sawyer	2016	Oppose	Requires that three counties—one large, one medium, and one small—be selected to participate in a three-year pilot project. Creates a three-member committee to select the pilot counties, with members selected by the California District Attorneys Association (CDAA), the California Public Defenders Association (CPDA), and the Judicial Council, with the CDAA and CPDA responsible for convening the committee. Requires the Department of Justice to report to the Legislature not later than July 1, 2021.	IV	
AB 2380	Alejo	2016	Oppose	Requires the court to provide the following information at the arraignment of a defendant who is charged with a felony and who is the sole custodial parent of one or more minor children: (1) Judicial Council Form GC-250, the "Guardianship Pamphlet"; (2) information regarding a power of attorney for a minor child; and (3) information regarding "trustline" background examinations pertaining to child care providers as provided in Health and Safety Code section 1596.60 et seq.	II	
AB 2498	Bonta	2016	No position	Among other things, expands the list of criminal actions that take precedence over all other criminal actions in the order of trial to include human trafficking, as defined.	I	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2655	Weber	2016	Support	Provides that the court's jurisdiction from the date of the arraignment to declare a forfeiture and authority to release bail may be extended for not more than 90 days if both of the following occur: (1) the arraignment is continued to allow the prosecutor time to file the complaint, and (2) the defendant requests the extension in writing or in open court.	I	
SB 443	Mitchell	2016	No position	Requires additional due process protection in cases where the State of California seeks forfeiture of assets in connection with specified drug offenses. Changes the process concerning how money or property forfeited under federal forfeiture law is distributed to state or local law enforcement. Increases the threshold for a burden of proof of beyond a reasonable doubt for seizure of assets to less than $40,000. In cases in which the forfeiture hearing, or any related civil discovery, is continued or stayed, the requirement that the forfeiture case be tried in conjunction with the related criminal case or to the same jury as in the related criminal case may be waived by the parties.	IV	
SB 823	Block	2016	Oppose	Extends the relief available under Penal Code section 1203.49 for dismissal of adult prostitution convictions suffered by human-trafficking victims to dismissal of any nonviolent offenses committed as a direct result of or in clear connection with a human-trafficking scheme of which the person was a victim. Provides that a person who was arrested for a crime allegedly committed while the person was a human-trafficking victim may petition for a judicial finding of his or her status as a human-trafficking victim at the time of the offense and an order that the arrest record be sealed.	II	
SB 1134	Leno	2016	Neutral, if funded	Allows a writ of habeas corpus to be prosecuted on the basis of new evidence that is credible, material, presented without substantial delay, and of such decisive force and value that it would have more likely than not changed the outcome at trial. Defines "new evidence" as "evidence that has been discovered after trial, that could not have been discovered prior to trial by the exercise of due diligence, and is admissible and not merely cumulative, corroborative, collateral, or impeaching."	I	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 39	Medina	2015	Support	Requires an affiant to first sign his or her affidavit in support of the application for the search warrant and then transmit the proposed search warrant and all supporting affidavits and documents to the magistrate. Also provides that the completed search warrant as signed by the magistrate and transmitted via facsimile transmission, electronic mail, or computer server, and received by the affiant shall be deemed to be the original warrant.	V	
AB 249	Obernolte	2015	Sponsor	Prohibits appeals based solely on the grounds of an error in the imposition or calculation of fines, penalty assessments, surcharges, fees, or costs unless the defendant first presents the claim in the trial court at the time of sentencing, or, if the error is not discovered until after sentencing, the defendant first makes a motion for correction in the trial court. Lists statutory exceptions to the appellate procedure set forth in Penal Code section 1237.2.	I	
AB 267	Jones-Sawyer	2015	Oppose	Requires the court to inform the defendant prior to the plea of not guilty only of the potential adverse consequences set forth in the bill. Provides that courts may provide the information through a form notice presented to the defendant or a bulletin posted in the courtroom informing the defendant of these adverse consequences. Provides that the court may orally inform the defendant that the actual impacts may be unknown and the defendant may consult with his or her attorney or another qualified expert. Provides that with respect to pleas accepted prior to January 1, 2016, it is not the intent of the Legislature that a court's failure to provide the advisement should require a vacation of judgment and withdrawal of the plea, constitute grounds for finding a prior conviction invalid, or provide a ground for appeal from the judgment or appealable order.	IV	Potential of increasing workload and adding to the already high-volume calendars; defense counsel is in best position to advise of adverse consequences.
AB 539	Levine	2015	Support	Authorizes law enforcement to obtain a search warrant to test the blood of a person suspected of operating a marine vessel under the influence of drugs and/or alcohol.	IV	
AB 673	Santiago	2015	Support	Establishes procedures for the payment and collection of fines, fees, and restitution if a person is released on probation or mandatory supervision, and the jurisdiction of the case is transferred to the superior court of another county, as specified.	III	
AB 696	Jones-Sawyer	2015	Oppose	Requires the court, upon motion of a noncustodial defendant accused of a misdemeanor, to make a probable cause determination. Requires that determination to be made 30 days before the date calendared for trial to allow the prosecution to comply with certain discharge requirements.	IV	Has the potential of requiring a significant number of additional probable cause determinations hearings for out-of-custody misdemeanor defendants.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 813	Gonzalez	2015	Oppose unless amended	Creates an explicit right for a person no longer imprisoned or restrained to prosecute a motion to vacate a conviction or sentence as specified.	IV	Author made several amendments to address some of the concerns raised by the Judicial Council.
AB 1156	Brown	2015	Support	Makes numerous technical and clarifying changes to the 2011 Realignment Act, including, among others, that a court may, within 120 days of the date of commitment on its own motion, or on the recommendation of the county correctional administrator, recall the sentence previously ordered and resentence the defendant in the same manner as if he or she had not previously been sentenced, provided the new sentence, if any, is no greater than the original sentence; requiring the Judicial Council to adopt rules providing criteria regarding a court's decision to impose the lower or upper term of a sentence under Penal Code section 1170(h)(1)–(2); and providing that a person shall not be subject to prosecution for a non-felony offense arising out of a violation in the California Vehicle Code, with the exception of Driving under the Influence (DUI), that is pending against him or her at the time of his or commitment to a county jail under the 2011 Realignment Act.	I	Judicial Council also sponsored a proposal authorizing courts to recall past felony sentences within 120 days of sentencing on the court's own motion.
AB 1351	Eggman	2015	No position	Addresses the federal immigration law that makes a deferred entry of judgment requirements a "conviction," for deportation purposes, by creating a pretrial diversion program, which does not result in a conviction if completed successfully.	I	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1352	Eggman	2015	No position	Requires a court to allow a defendant who was granted deferred entry of judgment on or after January 1, 1997, after pleading guilty or nolo contendere to the charged offense, to withdraw his or her plea and enter a plea of not guilty, and would require the court to dismiss the complaint or information against the defendant if the defendant performed satisfactorily during the deferred entry of judgment period and the defendant attests that the plea may result in the denial or loss to the defendant of any employment, benefit, license, or certificate, including, but not limited to, causing a noncitizen defendant to potentially be found inadmissible, deportable, or subject to any other kind of adverse immigration consequence. Requires that if court records showing the case resolution are no longer available, the defendant's declaration, under penalty of perjury, that the charges were dismissed after he or she completed the requirements, be presumed to be true if the defendant submits a copy of his or her state summary criminal history information that shows either that the defendant successfully completed the deferred entry of judgment program or that the record does not show a final disposition.	I	
AB 1492	Gatto	2015	Oppose	Among other things, requires that DNA samples obtained during an arrest on a felony not be sent to Department of Justice for analysis until after a judicial determination of probable cause, if the California Supreme Court upholds *People v. Buza, review granted February 18, 2015, S223698*. If the California Supreme Court upholds *Buza*, requires the DNA specimen and sample to be destroyed and the searchable database profile expunged from the database without the requirement of an application to the Department of Justice.	IV	Poses significant operational issues; the potential confusion among courts regarding the application of the bill prior to and after the Supreme Court's ruling in *Buza* is likely to place burdens on the courts.
SB 213	Block	2015	Support/ Cosponsor	Reduces the number of peremptory challenges available in misdemeanor trials from 10 to 6 in cases where the offense is punishable with a maximum term of imprisonment of one year or less.	IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 443	Mitchell	2015	Oppose	Requires additional due process protection in cases where the State of California seeks forfeiture of assets in connection with specified drug offenses. Changes the process concerning how money or property forfeited under federal forfeiture law is distributed to state or local law enforcement. Changes the burden of proof for seizure of assets less than $25,000 from a clear and convincing standard to a beyond a reasonable doubt standard. In cases in which the forfeiture hearing, or any related civil discovery, is continued or stayed, the requirement that the forfeiture case be tried in conjunction with the related criminal case or to the same jury as in the related criminal case may be waived by the parties.	IV	
SB 517	Monning	2015	Sponsor	Provides courts with discretion to order the release of supervised persons from custody, unless otherwise serving a period of flash incarceration, regardless of whether a petition has been filed or a parole hold has been issued.	III	
SB 603	Hueso	2015	Oppose	Among other things, provides that if a defendant is acting as his or her own attorney, the court, on a motion by the prosecutor, at the request of a victim, or on the court's own motion, shall conduct a hearing to determine whether intermediary standby counsel shall be appointed, at county expense, for the limited purpose of presenting the defendant's examination of the victim. Provides the court may order intermediary standby counsel if the court makes the certain findings. If intermediary standby counsel is not available, provides that the court appoint any individual the court deems fit to conduct the examination or the court may conduct the examination. Provides that when the court orders the examination of the victim be presented by intermediary standby counsel, another individual, or the court, the defendant shall submit the entire line of questioning to the intermediary standby counsel, another individual, or the court, including any follow-up questions, and have the right to contemporaneously direct intermediary standby counsel, another individual, or the court during the examination to ensure the defendant maintains control of his or her defense.	II	
SB 694	Leno	2015	Neutral, if funded	Allows a writ of habeas corpus to be prosecuted on the basis of new evidence that is credible, material, and of such decisive force and value that it would have more likely than not changed the outcome at trial. Defines "new evidence" as "evidence that has been discovered after trial, that could not have been discovered prior to trial by the exercise of due diligence, and is admissible and not merely cumulative, corroborative, collateral, or impeaching."	I	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 885	Ammiano	2014	Oppose	Allows the court, in any criminal trial or proceeding in which the court determines that the prosecuting attorney has failed to disclose materials and information required under law, to instruct the jury that the intentional failure to disclose the materials and information has occurred and that the jury may consider the failure to disclose as circumstantial evidence to support the presence of reasonable doubt.	II	Interferes with judicial discretion to deliver jury instructions that are appropriate to the unique facts and circumstances of each trial.
AB 1014	Skinner	2014	Neutral	Creates a new civil process for the issuance of gun violence restraining orders and authorizes a law enforcement officer or immediate family member of a person to seek, and a court to issue, a gun violence restraining order, as specified, prohibiting a person from having in his or her custody or control, owning, purchasing, possessing, or receiving any firearms or ammunition. Defines a gun violence restraining order as an order, in writing, signed by the court, prohibiting and enjoining a named person from having under his or her custody and control, owning, purchasing, possessing, or receiving any firearms or ammunition. Requires the Judicial Council to prescribe the petitions and orders and any other documents or rules of court necessary to implement the gun violence restraining order process.	I	Author took numerous amendments addressing operational concerns for courts.
AB 1591	Achadjian	2014	Support	Requires that courts notify the Department of Justice in an electronic format about individuals who have been adjudged by a court to be incompetent to stand trial, not guilty by reason of insanity, a danger to others as a result of a mental disorder or mental illness, or a mentally disordered sex offender, within one court day instead of two court days of the finding.	IV	
AB 1610	Bonta	2014	Support	Authorizes the defendant or the People to apply for an order that the witness be examined conditionally when the defendant has been charged with human trafficking and there is evidence that the victim or material witness will not attend the trial because he or she is under the direct control of the defendant or another person involved in human trafficking and by virtue of this relationship, the defendant or another person seeks to prevent the witness or victim from testifying.	IV	By granting courts the authority to order that a witness be conditionally examined in cases involving human trafficking, AB 1610 both enhances judicial discretion and enhances the quality of justice.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1698	Wagner	2014	Support	Requires a court to issue a written order declaring a false or forged instrument to be judged void at its inception when (1) a defendant is convicted of offering a false or forged instrument for filing, or (2) a defendant enters a plea in which a charge of offering a false or forged instrument is dismissed, but he or she agrees to let the court consider the dismissed charge for purposes of sentencing. Clarifies that the prosecuting agency must record the court order at the appropriate public office.	IV	Increases the efficiency of courts by avoiding costly quiet title actions.
AB 2186	Lowenthal	2014	Support	Among other things, requires the court, if it finds any one of a list of conditions to be true, to issue an order authorizing involuntary administration of antipsychotic medication to the defendant when and as prescribed by the defendant's treating psychiatrist at a state hospital or other facility. Requires the court to review the order to administer involuntary medication at the time of the review of the initial competency report by the medical director of the treatment facility and at reviews of the six-month progress reports.	IV	
AB 2190	Maienschein	2014	Sponsor	Allows the court, when appropriate, to conditionally release a defendant found incompetent to stand trial to a placement in the community, rather than in a custodial or in-patient setting, to receive mental health treatment until competency is restored. Requires that when a conservatorship investigation results from a criminal court ordering an evaluation of a defendant, the officer must submit a copy of the report to the defendant or defendant's attorney who may authorize distribution to the criminal court. Clarifies the defendant or defendant's counsel must give prior written consent to release of conservatorship investigation to a criminal court.	I, IV	
AB 2397	Frazier	2014	Support	Expands the types of appearances that can be made using two-way videoconference technology between a defendant housed in a state, county, or local facility within the county and a courtroom to include specified noncritical trial appearances, if the defendant and defense counsel consent to the defendant's physical absence from court.	VI	The use of video technology should improve the efficiency of courts and over time the use of that and similar technology will be more frequent.
AB 2487	Wagner	2014	Sponsor	Requires court reporters to transcribe shorthand notes of preliminary hearings on homicide charges within 10 days following the close of examination. In all other felony charges, the reporter would be required to transcribe his or her shorthand notes within 10 days of a request by counsel or the court.	IV	Would have created new efficiencies for the courts.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2499	Bonilla	2014	Support	Among other things, provides that unless otherwise ordered by the court, mandatory supervision commences upon release from physical custody or an alternative custody program, whichever is later. Also provides that this provision becomes effective and operative on January 1, 2015, and shall be applied prospectively to any person sentenced on or after January 1, 2015. The bill further provides that the time spent on a home-monitoring program shall be credited toward any term of imprisonment or fine imposed.	VI	Enhances judicial discretion when courts impose sentences involving mandatory supervision and clarifies an ambiguity in the law about when mandatory supervision begins for a defendant.
AB 2625	Achadjian	2014	Support	Requires the court, in cases where the medical director's report concerning the defendant's progress toward mental competency recovery indicates there is no substantial likelihood the defendant will regain mental competence in the foreseeable future to order the defendant to be returned to the court for further proceedings to determine if the defendant is eligible to be placed under a specified conservatorship no later than 10 days following receipt of the medical director's report. Provides that the court shall transmit a copy of its order to the community program director or his or her designee. Requires that a defendant committed to a state hospital for treatment to regain mental competency, but who has not recovered competence, be returned to the committing court no later than 90 days before the expiration of the defendant's term of commitment.	IV	
AB 2645	Dababneh	2014	Sponsor	Provides that where jurisdiction of a case in which the defendant has been placed on mandatory supervision or probation is transferred, the court in the transferring county shall determine the amount of restitution owed to the victim, unless the determination cannot be made in a reasonable time.	III	
AB 2683	Cooley	2014	Sponsor	Deletes a category of juror misconduct that constitutes misdemeanor contempt—the willful disobedience by a juror of a court admonishment against any communication or research about a pending trial, including electronic or wireless communications.	III	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2724	Bradford	2014	Oppose	Provides that the ability to post bail or pay the civil assessment imposed by the court for failure to appear for a proceeding, or failure to pay a fine or bail installment, is not a prerequisite to filing a request that the court vacate the assessment. Provides that the imposition or collection of a civil assessment does not preclude a defendant from scheduling a court hearing on the underlying charge. Provides that the court cannot require the payment of bail, fine, or civil assessment before the person requests that the court vacate a civil assessment, imposed as specified. Provides that if an agreement is signed to pay a lawfully imposed fine in installments or to perform community service in lieu of the fine, as specified, the magistrate or court clerk is required to issue and file with the Department of Motor Vehicles (DMV) a certificate showing that an agreement has been signed to request that the hold on the defendant's driver's license be lifted.	II	
SB 663	Lara	2014	Support provision relating to trial dates	Among other things, requires that, in scheduling a trial date at an arraignment in superior court where the allegation is that the defendant committed a crime against a person with a developmental disability, courts make reasonable efforts to avoid setting that trial, when that case is assigned to a particular prosecuting attorney, on the same day that another case is set for trial involving the same prosecuting attorney.	I, IV	Gives courts flexibility in scheduling arraignments involving allegations that the defendant committed a crime against persons with developmental disabilities by requiring courts to make "reasonable efforts" to avoid setting trials on the same day a case is assigned to a prosecuting attorney who already has another case rather than requiring courts to do so in all instances.
SB 1110	Jackson	2014	Support, if amended	Requires a magistrate to inquire as to the active duty or veteran status of the defendant and requires specified actions if the defendant acknowledges military service, including filing Judicial Council Form MIL-100 and transmitting the form to the county veterans services officer for confirmation of military service. Provides that a defendant may decline to provide military service information without penalty. Requires, if the defendant is not represented by counsel, that the magistrate not make an inquiry into the defendant's current or past military status and requires that the court advise the defendant that certain current or former members of the U.S. military who meet certain qualifications are eligible for specific forms of restorative relief.	IV	Should result in better and timelier results for criminal cases involving individuals with military-related service who have not been identified as such by raising the awareness of veterans about their options during criminal proceedings. Thus, it should result in individuals who have military-related service being assigned to veterans courts in a timely manner in the counties where they are available, as well as providing defendants easier access to services at the local, state, and federal level.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 1193	Evans	2014	Oppose, unless amended	Reduces the amount of marijuana seized by a law enforcement agency that must be retained for evidence from at least 10 pounds to at least 2 pounds. Reduces the required representative sample size of seized marijuana from one 10-pound sample to one 2-pound sample. Requires counsel for the defendant to have 30 days from the date of seizure to examine the 2-pound sample and five representative samples prior to destruction if criminal proceedings are pending, as specified.	II	Language is unclear as to whether it contemplates that a criminal court take the action relating to marijuana and related paraphernalia that is damaged or destroyed or whether the author intends that it be done through the existing public entity claims process.
SB 1222	Block	2014	Sponsor	Requires that the reasons for dismissal in a criminal case be set forth either on the record or in an order entered on the minutes. Requires the court to set forth the reasons for dismissal in an order entered on the minutes if requested by either party or if the proceedings are not being recorded electronically or reported by a court reporter.	III	
SB 1412	Nielsen	2014	Support	Applies and adapts the procedures and standards currently governing persons found incompetent to stand trial to cases where a defendant subject to mandatory supervision or postrelease community supervision faces revocation of his or her conditional release due to incompetency.	IV	
AB 492	Quirk	2013	Support	Requires transferring courts to make the determination of the probationer's county of residence for Proposition 36 probation cases.	I	
AB 568	Muratsuchi	2013	Support	For purposes of introducing hearsay statements at a preliminary hearing, provides that allowances for testimony of law enforcement officers extend to nontraditional law enforcement officers.	I	Codifies existing case law.
AB 651	Bradford	2013	Oppose	Authorizes courts, in their discretion and in the interest of justice, to grant dismissals (commonly referred to as "expungements") for eligible petitioners who were convicted of a felony and sentenced to jail upon a petition for a change of plea or setting aside of a verdict. Releases the defendant from all penalties and disabilities resulting from the offense of which he or she has been convicted, except as specified. Authorizes courts to require individuals filing such a petition to reimburse the court for the actual costs of services rendered, whether or not the petition is granted and the records are sealed or expunged, at a rate to be determined by the court not to exceed $150.	II	Interferes with the discretion of courts to provide incentives to individuals convicted of crimes to opt for probation or split sentences over jail time.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 723	Quirk	2013	Oppose	Allows a person on postrelease community supervision (PRCS) who has a revocation petition filed against him or her to file an application for bail or release on his or her own recognizance with the superior court. Provides that it is within the sole discretion of the court to admit a person to bail pending revocation of PRCS. States that a bail application will be governed by the procedures set forth in existing provisions of law governing bail. Specifies that a court is not prohibited from making any order authorized by existing provisions of law governing bail.	I	Greatly increases the number of bail hearings by permitting bail hearings for individuals on PRCS subject to a revocation petition.
AB 805	Jones-Sawyer	2013	Support	Provides that in setting, reducing, or denying bail, a judge may consider "factors such as" a report prepared by investigative staff.	I	
AB 807	Ammiano	2013	Oppose	Among other things, requires, when law enforcement has adopted procedures for conducting photo and live lineups with eye witnesses, that courts give jury instructions about those procedures that are substantially similar to instructions set forth in the bill.	II	Interferes with judicial discretion by requiring courts to give jury instructions that are substantially similar to those set forth in the bill.
AB 1004	Gray	2013	Sponsor	Streamlines the process for obtaining arrest warrants by permitting them to be submitted by computer servers, and by allowing magistrates to sign arrest warrants digitally or electronically.	IV	This bill contains one of the 17 efficiency proposals approved for Judicial Council sponsorship in December 2012.
AB 1118	Hagman	2013	Oppose	Among other things, requires the Judicial Council to prepare, adopt, and annually revise a statewide bail schedule for all bailable offenses, except Vehicle Code infractions, and to appoint a group of judges who represent counties varying in size from throughout the state to develop and approve the statewide bail schedule.	IV	Requires Judicial Council to adopt a model statewide bail schedule with no ostensible purpose.
SB 366	Wright	2013	Oppose	Implements broad changes to the laws that govern how civil assessments are imposed and processed.	II	Would significantly increase the workload of courts that are already understaffed.
SB 378	Block	2013	Support	Provides that an electronically digitized copy of an official record of conviction that has been certified in accordance with specified requirements is admissible to prove the commission, attempted commission, or solicitation of a criminal offense, prior conviction, service of a prison term, or other act, condition, or event recorded by the record.	IV	This bill contains one of the 6 efficiency proposals approved for Judicial Council sponsorship in April 2013.
SB 513	Hancock	2013	Support	Provides that two years after a person has successfully completed a prefiling diversion program, he or she may petition the court for an order sealing the arrest records and related court files and records. Provides that a court is only required to have a hearing on the petition if the prosecution so requests.	IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 530	Wright	2013	Oppose	Among other things, eliminates the requirement that a defendant present satisfactory evidence of five years' residence in this state prior to the filing of the petition for a certificate of rehabilitation and a pardon from a conviction of either a felony or misdemeanor violation of a sex offense, the accusatory pleading of which has been dismissed. Permits an individual convicted outside the state of an offense that would be a felony or a misdemeanor sex offense if the conviction had occurred in the state, to file a petition for a certificate of rehabilitation if the petitioner: (1) has not been incarcerated since the dismissal of the accusatory pleading; (2) is not on probation for the commission of any other felony; and (3) presents clear and convincing evidence that he or she has been a resident of the United States, its territories, or a military base for the five consecutive years prior to filing the petition. Requires such petitioners, at least 90 days prior to the date set for a hearing, to give notice of the filing of the petition to the district attorney in each county, or the equivalent jurisdiction, where a felony or misdemeanor offense occurred, and each county where the petitioner has resided for the previous five years.	I	Provisions relating to certificates of rehabilitation raise interstate jurisdictional issues.
SB 569	Lieu	2013	Oppose	Requires a court to provide the jury with an instruction to be developed by the Judicial Council that advises the jury to view the statements made in that custodial interrogation with caution.	II	Interferes with judicial discretion to draft jury instructions.
SB 717	DeSaulnier	2013	Support	Authorizes the issuance of a search warrant to allow law enforcement officers to take a sample of blood or other bodily fluid that may be used as evidence in misdemeanor driving under the influence cases when a person refuses to submit to or complete a blood test as requested by the officer.	IV	Enacted in response to the U.S. Supreme Court ruling in *Missouri v. McNally* that a search warrant is generally required to conduct a blood test of an individual suspected of driving under the influence.
AB 1913	Skinner	2012	Oppose	Authorizes persons on postrelease community supervision (PRCS) to apply for bail during the pendency of court revocation proceedings. Specifies that admittance to bail pending revocation of PRCS is within the sole discretion of the court. Provides that a bail application pursuant to the bill's provisions shall be governed by existing statutory procedures for the setting of bail.	I	Creates inconsistent processes for courts based on the type of supervision.
SB 210	Hancock	2012	Oppose	Requires that a judge determine whether a defendant charged with a felony, the sentence for which may be served in county jail, is eligible for release on his or her own recognizance (OR). Sets forth a nonexclusive list of factors a court may, but is not required to, consider in granting OR release.	I, II	Effectively requires courts to consider a host of factors in all cases, and sets up grounds for review if courts fail to do so.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 1124	Cannella	2012	Oppose	Requires, rather than allows, the court, following every conviction resulting in commitment to state prison or county jail, to order the defendant to file a statement setting forth his or her assets, liabilities, and income, and requires the court to conduct a hearing and make a determination of the ability of the defendant to pay all or a portion of the reasonable costs of incarceration.	IV	
AB 109	Committee on Budget	2011	No position	Enacts broad changes to the criminal justice system by realigning postrelease supervision of inmates from the state to the county and redefining "felony to be punishable," with specified exceptions, in county jail instead of state prison.	IV	The Judicial Council took no position on the policy as outside the council's purview, but due to the magnitude of the realignment and impacts on the courts, the council directed staff to submit a letter to the 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.
AB 1284	Hagman	2011	Oppose	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.	I, II	
AB 447	Nestande	2010	Oppose	Makes mandatory on the court and defendant several provisions permissive under current law relating to the court's determination of a defendant's ability to pay for counsel.	II, III	Imposes enormous unnecessary workload; existing law and practices are effective.
AB 2056	Miller	2010	Oppose	Adds cases involving assault with the intent to commit rape to the list of types of cases that are categorically eligible for a good cause continuance in criminal proceedings when the prosecuting attorney assigned to the case has another trial, preliminary hearing, or motion to suppress in progress in another case.	II	Inappropriately interferes with the court's function to have the court determine whether there is good cause for a continuance on a case-by-case basis.
AB 2505	Strickland	2010	Support	Allows an oath by an affiant seeking a search warrant to be made using a telephone and computer server, in addition to a fax machine or e-mail, and allows the affiant's signature to be in the form of an electronic signature.	III	
SB 1449	Leno	2010	Support	Reclassifies from a misdemeanor to an infraction simple possession and possession while driving of not more than 28.5 grams of marijuana.	III, IV	Increases court efficiency.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SCA 27	Harman	2010	Support	Authorizes the Supreme Court to transfer a case to a Court of Appeal when a judgment of death has been pronounced and requires the Supreme Court to review the resulting decision of the Court of Appeal affirming or reversing that judgment.	IV	
AB 250	Miller	2009	Support	Requires a criminal defendant's withdrawal of a waiver of his or her speedy trial time limits to be done in open court.	III, IV	Improves court efficiency by ensuring all parties have notice of change in case status.
SB 431	Benoit	2009	Support	Improves probation transfer procedures.	III, IV	
SB 678	Leno and Benoit	2009	Support in concept	Creates the California Community Corrections Performance Incentive Fund to provide sustainable funding for improved, evidence-based probation supervision practices and capacities to improve public safety outcomes among adult felons who are on probation.	IV	Furthers Judicial Council goals to improve sentencing practices and outcomes.
AB 2166	Tran	2008	Support	Clarifies appellate jurisdiction in bail forfeiture proceedings by allocating these cases between the Courts of Appeal and the superior court appellate divisions the same way they were allocated before unification of the municipal and superior courts. Bases jurisdiction of a bail forfeiture appeal on the underlying criminal charge and the stage of the proceeding at which bail was forfeited.	III, IV	
SB 1257	Morrow	2006	Oppose	Revises and regulates the capital appeals process.	II	
SB 330	Cedillo	2005	Support	Requires a criminal action to be dismissed if a defendant in a misdemeanor or infraction case is not brought to trial within 30 days after the date of the reinstatement of criminal proceedings pursuant to the provisions of law governing the mental competency of defendants.	III	Allows for more efficient case management.
AB 2011	Firebaugh	2004	Oppose	When determining whether to allow a defendant who has pleaded guilty or no contest to be admitted to or to remain out on bail, requires a court to consider the same factors that must be considered after a verdict has been rendered against a defendant.	II	Unnecessary; will result in lengthy hearings.
AB 2173	Parra	2004	Oppose unless amended	Provides that the court must require a person convicted of a DUI to sign and date a statement that indicates that the person is aware that individuals who drive under the influence pose a serious threat to the lives of innocent persons. Requires the court to include on the abstract of judgment that the person has signed and dated the statement, or attach the statement to the abstract.	III	Will significantly lengthen court proceedings. Neutral if amended to provide defendant with information more efficiently.
SB 58	Johnson	2004	Support in concept	Directs courts and district attorneys to establish means of protecting confidentiality of information in police reports.	IV	Protects local control; clarifies authority to establish procedures.
SB 977	Johnson	2004	Oppose	Prohibits the live or delayed broadcasting of any criminal action until a verdict is rendered.	II, IV	Unnecessary; interferes with judicial function.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1306	Leno	2003	Sponsor	Provides that if a person is sentenced under Proposition 36, probation jurisdiction shall be transferred to the defendant's county of permanent residence at the discretion of the sentencing judge.	III, IV	
AB 1435	Koretz	2003	No position	Authorizes a court in a criminal case to order a party who has violated discovery disclosure requirements or any lawful court order to pay a monetary sanction.	N/A	Unnecessary; judges currently have this authority.
AB 1653	Mullin	2003	Oppose	Allows an attorney for a party to a criminal proceeding to appeal a sanction order or finding of contempt against him or her to the court authorized to hear an appeal of the judgment in the main action. Requires the court to stay the execution of the order or imposition of punishment pending appeal.	II	Unnecessary; interferes with judicial function.
SB 761	McPherson	2003	Oppose unless amended	Prohibits accepting an undertaking of bail if any summary judgment entered against an undertaking issued by the bail agent or agency remains unpaid.	II, III	April 30, 2003 amendments eliminate requirement that the court determine solvency of bail agency. Opposition withdrawn.
AB 2159	Cardoza	2002	Oppose unless amended	Requires courts, after arraignment, upon conviction, and when a judgment has been pronounced, to determine if a defendant has custody of any child under the age of 18 years, and inquire as to the proper care of that child if the defendant is in custody or remanded to custody.	II, III	Inefficient; ineffective; significantly lengthens court proceedings.
AB 2211	Horton	2002	Oppose	Provides that a representative of the community affected by a crime may submit a Community Impact Statement.	II, III	Unnecessary; results in lengthy hearings.
AB 2563	Vargas	2002	Oppose	Requires the agency discharging a person who posts bail on charges of domestic violence to serve that person with a protective order, without court involvement but enforceable as a court order.	II	Interferes with judicial functions.
AB 241	Dickerson	2001	Oppose	Prohibits the court from striking prior convictions in DUI cases.	II	Interferes with judicial functions.
AB 299	Pacheco, Rod	2001	Support	Grants a court exercising jurisdiction over multiple offenses involving criminal sexual acts and stalking that occurred in more than one jurisdictional territory jurisdiction over properly joinable offenses.	II	Streamlines court procedures.

2. *Sentencing and other judicial decisionmaking* – The council seeks to preserve judicial discretion and the independence of the judicial function in sentencing matters. The council does not take positions on the length or severity of sentences for crimes, but supports efforts to simplify the criminal sentencing structure.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 581	Levine	2019	Support	Allows a defendant currently serving a felony sentence who is or was a member of the United States military and may be suffering from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of the defendant's military service to petition for resentencing to allow the court to consider that circumstance as a factor in mitigation if it was not considered at the time of sentencing, without regard to whether the defendant was sentenced before January 1, 2015. Clarifies that this relief is available whether or not there was argument or evidence about the defendant's condition at trial.	I, III	
AB 597	Levine	2019	Support	Extends the authority of a court, until January 1, 2023, to authorize the use of flash incarceration to detain a person in county jail for not more than 10 days for a violation of the conditions of that person's probation or mandatory supervision.	I	
AB 865	Levine	2018	Support	Authorizes any person who was sentenced for a felony conviction before January 1, 2015, is or was a member of the U.S. military, and may be suffering from post-traumatic stress disorder (PTSD) or other forms of trauma conditions as a result of his or her military service to petition for a recall of sentence if the person meets both of the following conditions: (1) the circumstance of suffering from sexual trauma, traumatic brain injury, PTSD, substance abuse, or mental health problems as a result of the person's military service was not considered as a factor in mitigation at the time of sentencing; and (2) the person was sentenced before January 1, 2015, whether or not the case was final as of January 1, 2015.	I, III	
AB 1065	Jones-Sawyer	2018	Neutral, if amended to either remove the references to a deferred entry of judgement program or clarify the process for that program	Creates the crime of organized retail theft, and makes various changes to existing laws related to arrest and bench warrants for theft-related offenses. Until January 1, 2021, authorizes a city or county prosecuting attorney or a county probation department to create a diversion or deferred entry of judgment program for persons who commit repeat theft offenses.	III	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1793	Bonta	2018	Oppose, unless amended and funded	Requires the Department of Justice (DOJ), by July 1, 2019, to identify past cannabis conviction cases that are potentially eligible for recall or dismissal of sentence, sealing, or redesignation under current law. Requires DOJ to notify prosecutors of cases in their jurisdiction that are eligible for sentence modifications. Requires prosecutors, by July 1, 2010, to review all identified cases to determine if they will object to sentence modifications in these cases or allow them to proceed and to notify the courts and public defenders of cases where they are challenging the sentence modification. Requires courts to automatically modify sentences in identified cases if there is no challenge by July 1, 2020.	VII	
AB 2438	Ting	2018	Oppose	Requires the court to automatically withdraw the plea of guilty or nolo contendere and enter a plea of not guilty for a defendant after the lapse of one year from the date of pronouncement of judgment, if he or she has fully complied with and performed the sentence of the court, is not then serving a sentence for any offense is not under charge of commission of any crime, has conformed to and obeyed the laws of the land, and has fulfilled the conditions of probation. Applies these provisions to defendants who have completed probation on or after November 23, 1970. For a defendant convicted of a misdemeanor and not granted probation and a defendant convicted on an infraction, after the lapse of one year from the date of pronouncement of judgment, requires the court to withdraw the plea of guilty or nolo contendere and enter a plea of not guilty, or if the defendant has been convicted after a plea of not guilty, to set aside the verdict of guilty, if a defendant has fully complied with and performed the sentence of the court, is not then serving a sentence for any offense, is not under charge of commission of any crime, and has, since the pronouncement of judgment, lived an honest and upright life and conformed to and obeyed the laws of the land.	VI	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 3125	Mayes	2018	Oppose	Requires judges, in adopting or revising a uniform countywide bail schedule, to compute bail as follows when a person is booked for, or charged with, two or more offenses: (1) set bail under the bail schedule for the offense having the highest amount of bail, including applicable amounts for enhancements and prior convictions; and (2) if the offenses were alleged to have been committed against separate victims or on separate dates, or separate sex crimes were committed against one victim and each charge may be punished separately, set bail as the sum of the amounts listed for each offense, including applicable amounts for enhancements and convictions. Also provides that when determining the amount of bail in either situation, both of the following are required: (1) that amounts of applicable enhancements be added only one time per victim; and (2) that amounts for prior convictions, if applicable, be added only one time per prior case.	IV	
SB 142	Beall	2018	Support, if amended	Changes the current pretrial release and detention system, moving from a system that determines pretrial release and detention based on criminal charges and monetary bail, to one that is based on criminal charges, assessment of risk to public safety, and potential for failure to return to court.	II, III	
SB 215	Beall	2018	Support	Makes defendants ineligible for the mental health diversion program for certain serious offenses. Authorizes a court to require the defendant to make a prima facie showing that the defendant will meet the minimum requirements of eligibility for diversion and that the defendant and the offense are suitable for diversion. Requires the court, on request, to conduct a hearing to determine whether restitution is owed to any victim as a result of the diverted offense and, if owed, to order its payment during the period of diversion.	IV	
SB 1187	Beall	2018	Support	Changes the period of commitment for an individual who has been found incompetent to stand trial (IST) from three years to two years. Makes IST individuals eligible for custody credits during the period of commitment, and applies those credits to those individuals when competency is restored. Makes various technical changes. Deletes the requirement that an ISD individual who has been committed, or who is on outpatient status and is still hospitalized or on outpatient status at 18 months, be returned to the community court for a competency hearing.	III	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 1437	Skinner	2018	Support, if amended	Revises the felony murder rule to exclude certain participants in the commission or attempted commission of a felony that results in death from liability for murder. Provides a means of vacating the conviction and resentencing a defendant when a complaint, information, or an indictment was filed against the defendant that allowed the prosecution to proceed under a theory of first degree felony murder or murder under the natural and probable consequences doctrine, the defendant was sentenced for first degree or second degree murder or accepted a plea offer in lieu of a trial at which the defendant could be convicted for first degree or second degree murder.	I	
AB 154	Levine	2017	No position	Provides that on conviction of any felony in which a defendant is sentenced to state prison and on certain findings, a court must recommend in writing that the defendant participate in a counseling or education program with a mental health component while imprisoned. Requires the court to make that recommendation on a finding that any of the following are true: (1) the defendant at the time of the commission of the offense was suffering from a serious mental illness, (2) the defendant has a demonstrated history of mental illness, and (3) the defendant at the time of the commission of the offense was suffering from a mental illness that was a substantial factor that contributed to the defendant's criminal conduct.	IV	
AB 1115	Jones-Sawyer	2017	No position	Allows that a defendant sentenced to state prison on a plea of guilty or nolo contendere for a felony charge that if committed after enactment of AB 109 (the 2011 Realignment legislation; Stats. 2011, ch. 15) would have been eligible for sentencing to a county jail to withdraw the guilty or nolo contendere plea and enter a plea of not guilty, after the lapse of one or two years following the defendant's completion of the sentence, as specified, provided that the defendant is not under supervision, and is not serving a sentence for, on probation for, or charged with the commission of any offense.	I	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 8	Beall	2017	Support	Authorizes a court, with the consent of the defendant and a waiver of the defendant's speedy trial right, to postpone prosecution of certain misdemeanor or felony offenses punishable in a county jail, and place the defendant in a pretrial diversion program for up to 2 years if the court is satisfied the defendant suffers from a mental disorder, that the defendant's mental disorder played a significant role in the commission of the charged offense, and that the defendant would benefit from mental health treatment. The court may, after considering the positions of the defense and prosecution, grant pretrial diversion to a defendant and courts will continue to have access to the arrest record of the defendant even if the defendant successfully completes the diversion program. Requires ongoing monitoring by the court by requiring that reports be made to the court, as well as the defense and prosecution, by the divertee's mental health provider on the divertee's process in treatment at least every three months. Provides that a court may conclude that a divertee has performed satisfactorily if, in the court's judgment, the divertee has substantially complied with the requirements of the treatment program, avoided significant new violations of law unrelated to the defendant's mental health condition, and has a location in place for long-term mental health care.	II, III	
SB 142	Beall	2017	Support, if amended	Establishes the State Community Mental Health Performance Incentives Fund, which would provide monetary incentives for counties to avoid sending mentally ill offenders to prison. Requires courts to consider, if provided by probation, a defendant's mental health history when determining sentence and whether treatment in the community, including residential treatment, is appropriate in lieu of incarceration.		
SB 384	Wiener	2017	Support, if funded	Commencing January 1, 2021, establishes three tiers of registration for sex offenders based on specified criteria for two mandated minimum periods of registration of 10 years, and 20 years, and maintains lifetime registration as specified. Establishes new court procedures by authorizing a tier one or tier two offender to file a petition at the expiration of his or her minimum registration period, and provides that the district attorney may request a hearing on the petition on the basis that the petitioner has not fulfilled the requirements of successful tier completion, as specified. Authorizes a tier three offender who meets specified criteria to petition the court for placement into tier two.	I	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 670	Jackson	2017	Sponsor	Promotes uniformity and clarifies judicial sentencing authority when imposing concurrent or consecutive judgments under Penal Code section 1170(h) implicating multiple counties. Requires the Judicial Council to adopt rules providing criteria for courts to use for those purposes.	IV	
AB 2129	Lackey	2016	Sponsor	Requires courts to find good cause before continuing a sentencing hearing for failure by the probation department to provide a sentencing report by the required deadlines.	I, IV	
AB 2205	Dodd	2016	Sponsor	Clarifies that when supervision has been revoked, summarily or otherwise, the time that elapses during revocation shall not be credited toward any period of supervision.	I, IV	
AB 2765	Weber	2016	Support	Changes the time limitation for petitioning or applying for a reduction of sentence under Proposition 47 to eight years from the date the voters approved the initiative.	I	
SB 266	Block	2016	Support	Authorizes until January 1, 2021, the use of “flash” incarceration, where a county probation department can order the detention of any adult offender under their supervision in jail for not more than 10 consecutive days for violating a condition of probation or mandatory supervision if at the time of granting probation or ordering mandatory supervision the court had obtained from the defendant a waiver to a court hearing prior to the imposition of flash incarceration.	I	
SB 1202	Leno	2016	Oppose	Provides that the court may not impose an upper-term sentence based on aggravating facts unless the facts were first presented to a jury and the jury found the facts to be true. Requires the court to state on the record at the time of sentencing the specific facts in aggravation relied on to impose an upper term. Requires the bifurcation of the trial of all facts pleaded in aggravation of sentence, as specified.	II	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1006	Levine	2015	Oppose	Provides that a defendant who has pleaded guilty or nolo contendere to, or been convicted of, an offense that will result in a sentence to state prison or county jail, or the prosecutor, may submit evidence after the defendant's plea or conviction, but before her or his sentencing, that the defendant suffers from a diagnosable mental illness that was a substantial factor that contributed to the defendant's criminal conduct. Requires the court to consider such evidence in conjunction with the defendant's sentencing. Provides that the court may order placement of the defendant as follows: if the defendant agrees, the court may order the defendant to serve all or a portion of her or his sentence in a residential mental health treatment facility instead of state prison or county jail; the court may order the Department of Corrections and Rehabilitation (CDCR) or the county jail authority to place the defendant in a mental health program within the prison or jail; and the court may order CDCR or the county jail authority to prepare a postrelease mental health treatment plan, as specified. Allows the defendant or prosecutor, at any time, to petition the court for approval to transfer the defendant from a residential mental health treatment facility to a mental health program within the prison or jail. Provides a similar court petition process for cases where the defendant, prosecutor, CDCR, or county jail authority seeks permission to remove the defendant from a mental health program within the state prison or jail, or dismissal of the requirement that CDCR or the county jail authority prepare a postrelease mental health treatment plan.	II	Creates burdensome and costly sentencing procedures.
AB 1214	Achadjian	2015	Sponsor	Requires courts to find good cause before continuing a sentencing hearing for failure by the probation department to provide a sentencing report by the required deadlines.	I	
AB 1237	Brown	2015	Oppose	Among other things, specifies that when a defendant pleads not guilty by reason of insanity (NGI), the court must select an evaluation panel established by Department of State Hospitals pursuant to the bill's provisions (instead of psychiatrists and psychologists appointed by the court) to examine the defendant and investigate his or her mental status, make specified reports to the court, and testify during the NGI proceedings. Imposes similar obligations and restrictions on the court in cases where the competence of the defendant to stand trial is at issue.	II	Interferes with court's ability to appoint expert evaluators.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 266	Block	2015	No position	Authorizes until January 1, 2021, the use of "flash" incarceration, where a county probation department can order the detention for any adult offender under their supervision in jail for not more than 10 consecutive days for violating a condition of parole or mandatory supervision. These provisions would not apply to persons convicted of certain drug offenses.	I	Judicial Council supported a similar bill, SB 419 (Block; 2014).
SB 352	Block	2015	Support	Requires a sentencing court, upon a person's conviction for violating elder abuse provisions, to consider issuing an order restraining the defendant from any contact with the victim, whether the defendant is sentenced to state prison or county jail, or if imposition of sentence is suspended and the defendant is placed on probation, for up to 10 years, as determined by the court. Provides that the protective order may be issued by the court whether the defendant is sentenced to state prison or county jail, or if imposition of sentence is suspended and the defendant is placed on probation. Declares the intent of the Legislature that in determining the length of any restraining order the court consider the seriousness of the facts before it, the probability of future violations, and the safety of the victim and his or her immediate family.	I	
SB 382	Lara	2015	Support	Provides further guidance to criminal courts on the five criteria that courts must consider when determining whether a juvenile is a fit and proper subject to be dealt with under juvenile court law by providing that when considering each of the criteria, courts may give weight to certain factors.	I	
AB 1585	Alejo	2014	Support if amended	Provides that a defendant who has been convicted of solicitation or prostitution may petition the court to set aside the conviction if the defendant can establish by clear and convincing evidence that the conviction was the result of his or her status as a victim of human trafficking.	II, III	Proposed amendments would uphold the public policy underlying the bill while ensuring the remedy is not extended in a manner that would duplicate prior criminal proceedings.
AB 2098	Levine	2014	Support if amended	Requires the court to consider a defendant's status as a combat veteran suffering from sexual trauma, traumatic brain injury, posttraumatic stress disorder, substance abuse, or other mental health problems as a result of his or her military service, as a factor in favor of granting probation, and as a factor in mitigation when choosing whether to impose the lower, middle, or upper term of a state prison sentence. Clarifies that consideration of veteran status in sentencing does not preclude the court from considering similar trauma, injury, substance abuse, or mental health problems due to other causes as evidence or factors in mitigation.	II, III	Amendments would have preserved judicial discretion when considering the impact of military service as a factor in mitigation.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2124	Lowenthal	2014	Support	Authorizes a judge, at his or her discretion, to defer sentencing a defendant who has submitted a plea of guilty or nolo contendere for a period not to exceed 12 months and to order the defendant to comply with terms, conditions, and programs, as specified.	II	Gives courts greater flexibility to fashion remedies that are most appropriate for the facts and circumstances of an individual defendant and has the potential to free up precious judicial resources.
SB 210	Hancock	2014	Support	Provides that a sheriff, probation department, or other local government agency may, with the concurrence of the board of supervisors, employ an investigative staff to determine whether or not a defendant may be released on his or her own recognizance. Requires that only one entity shall issue a report. Provides that in setting conditions for pretrial release and in setting, reducing, or denying bail, the court shall consider, in addition to the protection of the public, the defendant's criminal record and the seriousness of the charged offense. Also provides that when considering the history and circumstances of the defendant, the court may consider the results of an evidence-based pretrial risk assessment instrument that is predictive of the defendant's risk to public safety and the probability of him or her failing to appear at court hearings.	II	Author took a number of amendments to address previous concerns including amendments that enhance judicial discretion by stating that when deciding to release a defendant on his or her own recognizance, the judge may consider the results of an evidence-based pretrial risk assessment instrument rather than the specific factors previously set forth in the bill.
SB 1227	Hancock	2014	Support if amended	Creates a pretrial diversion program when a member or former member of the U.S. military is accused of a misdemeanor and the defendant is suffering from sexual trauma, traumatic brain injury, posttraumatic stress disorder, substance abuse, or mental health problems resulting from his or her military service.	II	In general the Judicial Council is supportive of diversion programs because they enhance judicial discretion in fashioning remedies that are most appropriate to the individual facts and circumstance of the defendant and have the potential to free up precious judicial resources. The proposed amendments would enhance judicial discretion by requiring the court to determine whether there was causal connection between the military service and resulting condition and the crime.
AB 560	Ammiano	2013	Oppose unless amended; support if amended	Requires, instead of authorizes, courts to impose a split sentence with a minimum of six months of mandatory supervision in every felony case resulting in a county jail term. Authorizes the court, when a defendant is sentenced to county jail, to, on its own motion or on the recommendation of the sheriff, recall the sentence and resentence the defendant, provided the new sentence is no greater than the initial sentence (paralleling the process in current law relating to state prison sentences).	I, II	Interferes with judicial discretion in sentencing by requiring split sentences.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 604	Ammiano	2013	Oppose the provision requiring courts to give specified jury instructions. No position on the remaining provisions.	Among other things, requires, when law enforcement has adopted procedures for conducting photo and live lineups with eye witnesses, that courts give jury instructions about those procedures that are substantially similar to instructions set forth in the bill.	II	Interferes with judicial discretion to deliver jury instructions appropriate to the facts and circumstances of each individual case. Gutted and amended September 6, 2013, to impose state regulation and enforcement of medical cannabis.
AB 651	Bradford	2013	Oppose	Authorizes courts, in their discretion and in the interest of justice, to grant dismissals (commonly referred to as "expungements") for eligible petitioners who were convicted of a felony and sentenced to jail on a petition for a change of plea or setting aside of a verdict.	II	Interferes with court's discretion to provide incentives to individuals convicted of crimes to opt for probation or split sentences.
AB 765	Ammiano	2013	Oppose	Provides that, effective January 1, 2014, the court may not impose an upper-term sentence based on aggravating facts unless those facts were first presented to the fact-finder and the fact-finder found the facts to be true.	II	Diminishes court's discretion by preventing courts from imposing upper term in the absence of certain findings.
SB 260	Hancock	2013	Oppose	Requires a sentencing court, on a motion by an inmate, after 60 days' notice to the prosecution, to hold a hearing to review the sentence of a person who meets specified criteria. Allows the judge to suspend or stay all or a portion of the sentence, reduce the sentence to any sentence that could lawfully have been ordered at the time of the original judgment, or both reduce and suspend or stay all or a portion of the sentence. Authorizes the court to consider specified evidence relating to the person's rehabilitation and the circumstances at the time of the offense, in conjunction with any other evidence the court considers relevant, in making this determination. Requires the court to state on the record the criteria relied on in reaching its decision and to provide a statement of reasons for reliance on those criteria. Permits each person granted review whose sentence is not suspended, stayed, or reduced, to file a new petition for review three or more years after the prior hearing. Requires the court to grant a review hearing if the petition demonstrates, by a preponderance of the evidence, a change in the evidence the court considered in denying the person's prior petition.	IV	Increases burden on courts because petitions will be routinely filed every three years by virtually all eligible individuals, even those without merit.
SB 419	Block	2013	Support	Extends the authority for "flash incarceration" to include persons subject to probation and mandatory supervision.	I	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 569	Lieu	2013	Oppose	Requires, among other things, that a custodial interrogation of a minor 16 years or older who is suspected of committing an offense for which he or she may be tried as an adult be electronically recorded in its entirety. Requires the Judicial Council to develop a jury instruction on the electronic recording that is "substantially similar" to jury instruction language set forth in the bill. Requires a court to provide the jury with an instruction to be developed by the Judicial Council that advises the jury to view the statements made in that custodial interrogation with caution.	II	Interferes with judicial discretion to draft and deliver jury instructions.
AB 520	Ammiano	2011	Oppose	Provides that the court may not impose an upper term based on aggravating facts unless facts were first presented to the fact-finder and the fact-finder found the facts to be true.	II, IV	
AB 1264	Hagman	2011	Oppose	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.	I, II	
AB 908	Berryhill, Tom	2009	Oppose	Requires the court, if probation is granted, to order the payment of the reasonable costs of any probation supervision or conditional sentence as a condition of probation.	II, III	Introduces inappropriate issues into judge's sentencing decision.
SB 59	Huff	2009	Oppose	Adds cases involving the California Street Terrorism Enforcement and Prevention Act to the list of types of cases that are categorically eligible for a good cause continuance in criminal proceedings when the prosecuting attorney assigned to the case has another trial, preliminary hearing, or motion to suppress in progress in another case.	II	
AB 2609	Davis	2008	Oppose unless amended	Requires, when appropriate and feasible, that a court order a defendant convicted of vandalism to clean up, repair, and replace the damaged property or keep the damaged property or another property in the community free of graffiti for up to one year.	II	Sought amendment to give the court sufficient flexibility to ensure that the required sanction will be imposed when appropriate and feasible.
AB 1660	La Malfa	2007	Oppose	Deletes the court's authority to exclude a victim or a designated victim's representative from a criminal proceeding.	II	Inappropriately interferes with court's authority.
AB 1551	Runner, Sharon	2005	Oppose unless amended	Among other things, prohibits a court from striking an allegation, admission, or finding of a prior conviction pursuant to Penal Code section 1385 for defendants who are convicted of certain sex offenses.	II	Sought amendment to strike the provision eliminating the court's authority under Penal Code section 1385 to dismiss an action in the furtherance of justice.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 623	Lieber	2003	No position	Requires the judge in a toxics case to consider whether the defendant has expressed remorse for the acts and whether the defendant has made an appropriate public apology that reflects that nature of the violation and the number of potential victims.	N/A	Outside purview.
SB 1497	Polanco	2002	Oppose	Sets up a one-time review of the custody status of life prisoners who have been in prison beyond a date specified in certain regulatory matrices.	II	Impossible to implement.

D. *TRAFFIC LAW*

The council advocates use of simplified procedures in minor traffic cases to guarantee expedited disposition. The council supports development of statewide uniform rules, procedures, and forms to provide efficient handling of traffic cases.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2532	Jones-Sawyer	2018	Sponsor	Provides a uniform hourly rate for conversion of infraction violation total fines to community service at double the lowest schedule for California minimum wage, and permits a court by local rule to increase the uniform rate.	I, IV	
AB 330	Cooley	2017	Support	Authorizes a court to order a person convicted of a DUI to enroll and participate in, and successfully complete, a qualified “24/7 Sobriety program,” as a condition of probation.	I	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1571	Lackey	2016	Oppose	Among other things, requires that enrollment in an approved DUI program take place within 30 days of conviction, unless an extension of not longer than 30 days is granted by the court, as specified. Requires the court, for first-time offenders, to consider a blood-alcohol concentration of 0.08% or more, by weight, in combination with the presence of a Schedule I or II controlled substance, as defined, except for marijuana or a controlled substance prescribed by a licensed physician or dentist, as an aggravating factor that may justify enhancing the terms and conditions of probation, as specified. Provides that exceptions to the 30-day requirement may be granted by the courts telephonically or electronically for those who miss the deadline. Requires the county alcohol program administrator to additionally coordinate court referral and tracking documents with the Department of Motor Vehicles and the State Department of Health Care Services. Requires a court to refer a person with a second or subsequent DUI conviction to a licensed program as a condition of probation even if the person's privilege to operate a motor vehicle is restricted, suspended, or revoked. Requires the clerk of the court to also indicate the duration of the treatment program ordered on court referral and tracking documents.	II	
AB 2871	Obernolte	2016	Sponsor	Eliminates the trial de novo option when the defendant in a Vehicle Code violation has not prevailed on his or her trial by written declaration.	I, IV	
SB 881	Hertzberg	2016	No position	Requires courts to issue, within 90 days, appropriate documentation to the Department of Motor Vehicles that would result in the restoration of a driver's license and driving privileges. Requires for amnesty applications submitted on or before March 31, 2017, that all terms and procedures related to a participant's payment plan remain in effect after that date.	I	
AB 2085	Fox	2014	Withdrew oppose position; took no position.	Authorizes a court and county, upon agreement by both entities, to establish a one-time amnesty program for fines and bail due on or before January 1, 2012, for certain infraction or misdemeanor violations of the Vehicle Code and Penal Code, on or after January 1, 2016, until December 31, 2016.	IV	
AB 366	Wright	2013	Oppose	Implements broad changes to the laws that govern how civil assessments are imposed and processed.	II	Significantly increases the workload of courts that are already understaffed.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2499	Portantino	2010	Support	Consolidates all traffic violator school (TVS) programs under the licensing authority of the Department of Motor Vehicles (DMV). Requires courts to transmit to DMV abstracts of judgment for convictions of traffic violations rather than the court dismissing the case upon completion of the TVS program.	III, IV	Relieves judicial branch of inappropriate regulatory role. Provides DMV better ability to enforce driver safety program.
AB 758	Plescia	2007	Support	Requires the Department of Motor Vehicles, on or before July 1, 2008, to submit a report to the Legislature containing a comprehensive plan with specified components by which the licensing of all driving instruction programs offered to traffic violators may be consolidated under the authority of the department.	III, IV	
AB 1464	Benoit	2007	Sponsor	Allows the court, after proper notice to the owner/violator, to report a failure to appear on an unsigned citation issued for an owner-responsibility offense to the Department of Motor Vehicles for a hold to be placed on the registration of the vehicle involved in the offense.	III, IV	
AB 1932	Benoit	2006	Support	Provides for the licensing and regulation of home study–based traffic violator schools by the Department of Motor Vehicles (DMV) and declares the intent of the Legislature to have DMV uniformly regulate all traffic violator schools.	II	Appropriately places regulatory function with the executive branch.
SB 1697	Torlakson	2004	Support	Consolidates administration of all sanctions related to the driving privilege imposed as a result of a driving-under-the influence conviction with the Department of Motor Vehicles.	IV	Increases efficiency; provides better service to the public.

E. *JURY SYSTEM*

The council supports efforts to ensure adequate numbers of jurors, achieve full use of jurors once they are summoned, ensure fair representation of the community served by the court, and provide adequate compensation of jurors. The council seeks to maintain plain-English jury instructions that accurately convey the law using language that is understandable to jurors.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2240	Grayson	2018	Oppose	Prohibits the selection of designated parole and correctional officers for voir dire in both criminal and civil matters. Excludes the officers from jury service in criminal matters.	IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 658	Wiener	2017	No position	Makes various changes to the civil voir dire statute. Among other things, maintains the provision that specifies that the scope of the examination conducted by counsel shall be within reasonable limits prescribed by the trial judge in the judge's sound discretion. Requires judges, in the exercise of their sound discretion over the scope of voir dire, to give due consideration to all of the following: (1) the amount of time requested by trial counsel; (2) any unique or complex elements, legal or factual, in the case; (3) length of the trial; (4) number of parties; (5) number of witnesses; and (6) whether the case is designated as a complex or long case. Requires a judge to provide the parties with both the alphabetical list and the list of prospective jurors in the order in which they will be called. Clarifies that a judge shall not impose specific unreasonable or arbitrary time limits, or establish an inflexible time limit policy for voir dire.	IV	
AB 1766	Stone	2016	No position	Creates a pilot program sunsetting January 1, 2022, that would require the court to (1) provide the complete names of prospective jurors to counsel for each party, as specified; (2) the court and counsel for each party to address a prospective juror using a number assigned by the court, by the prospective juror's first name and first initial of his or her last name, or by his or her title and last name, as determined by the court in each criminal trial; and (3) before examining prospective jurors, to advise jurors that, in accordance with state law, the court and counsel for each party are prohibited, in all criminal cases, from addressing prospective jurors by their full names during jury selection, and are required to address each prospective juror by an identification number, by his or her first name and the first initial of his or her last name, or by his or her title and last name.	I	
AB 2101	Gordon	2016	Sponsor	Requires the Judicial Council to solicit courts for participation in a pilot project in which judicial officers of participating counties would be authorized by the bill to impose reasonable monetary sanctions, not to exceed $1,500, on an impaneled juror for any knowing violation of a lawful court order without good cause or substantial justification that is supported by clear and convincing evidence. Requires the Judicial Council to conduct an evaluation of the pilot project and report the results to the Governor and the Legislature on or before July 1, 2021. Repeals these provisions on January 1, 2022.		

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 213	Block	2016	Support/ Cosponsor	Reduces the number of peremptory challenges available in misdemeanor trials from 10 to 6 in cases where the offense is punishable with a maximum term of imprisonment of one year or less. Specifies further that, in cases where two or more defendants are tried jointly, the number of additional "non-joint" peremptories (i.e., those that may be exercised separately by each defendant and the state) would be reduced from 4 to 2. Contains a five-year sunset of the bill's provisions. Requires the Judicial Council to conduct a study on or before January 1, 2020, and report to the public safety committees of the Legislature on the effects of the bill, as specified.	IV	
SB 1052	Lara	2016	Oppose, unless amended to remove jury instructions	Provides that prior to a custodial interrogation and before the waiver of any *Miranda* rights, a youth under 18 years of age shall consult with legal counsel. Provides that the consultation with counsel cannot be waived. Provides that if a custodial interrogation of a minor under 18 years of age occurs prior to the youth consulting with counsel, the court must, among other things, in adjudicating the admissibility of statements of youth under 18 years of age made during or after a custodial interrogation, consider the effect of failure to comply with the consultation with counsel requirement and specified factors. Requires that if the court finds that the minor was subject to a custodial interrogation in violation of the consultation with counsel requirement, the court must provide the jury or the trier of fact with the specified instruction.	II	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 405	Hertzberg	2015	No position	Provides that the ability of a defendant to post bail or to pay a fine or civil assessment is not a prerequisite to filing a request that the court vacate the assessment. Provides that the imposition or collection of bail or a civil assessment does not preclude a defendant from scheduling a court hearing on the underlying charge. Allows a person with a suspended driver's license that was suspended between January 1, 2013, and December 31, 2015, who has an established payment plan to appear in court and ask to have the suspension lifted. Provides that to be eligible to participate in an amnesty program, the person has not made any payments after September 30, 2015, to a comprehensive collection program in the county. Adds an urgency clause making the bill effective immediately upon enactment. Authorizes the Judicial Council to consider, adopt, or develop recommendations for an appropriate mechanism to allow reinstatement of the driving privileges of a person who otherwise meets criteria for amnesty but who has violations in more than one county.	IV	
SB 428	Hall	2015	Oppose	Excludes additional peace officers, including certain parole officers, probation officers, deputy probation officers, board coordinating parole agents, correctional officers, transportation officers of a probation department, and other employees of the Department of Corrections and Rehabilitation, the Department of State Hospitals, and the Board of Parole Hearings, from voir dire in criminal matters.	IV	
AB 1708	Alejo	2014	Oppose	Excludes additional peace officers, including certain parole officers, probation officers, deputy probation officers, board coordinating parole agents, correctional officers, transportation officers of a probation department, and other employees of the Department of Corrections and Rehabilitation, the Department of Mental Health, and the Board of Parole Hearings, from voir dire in civil and criminal matters.	IV	Courts have a constitutional obligation to ensure that jury pools are representative of the community and that there are enough prospective jurors in the courthouse each day to avoid having to dismiss last-day criminal trials for lack of jurors.
SB 1133	Anderson	2014	Oppose	Exempts designated employees of the Department of Fish and Game, whose primary duty as peace officers is enforcement of the law, from voir dire in both civil and criminal matters.	IV	Courts have a constitutional obligation to ensure that jury pools are representative of the community and that there are enough prospective jurors in the courthouse each day to avoid having to dismiss last-day criminal trials for lack of jurors.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 301	Wagner	2013	Oppose	Requires the clerk of the superior court to include, in statements reporting individuals convicted of a felony to the chief elections official in its respective county, the name, address, and date of birth of each person who has, since the clerk's last statement, declared in response to a jury summons from the superior court, that he or she is not qualified to serve as a juror, because he or she is not a citizen of the United States. Requires the elections official to cancel the affidavit of registration of each person so listed by the clerk.	IV	Places new burdens on courts relating to voters—a matter not within the purview of courts.
SB 794	Evans	2013	Support	Reduces the number of peremptory challenges available in all misdemeanor trials from 10 to 5, and reduces the number of "non-joint" peremptory challenges in multiple defendant cases from 4 to 2.	IV	
AB 141	Fuentes	2011	Support	Requires the court, when admonishing the jury against conversing about a trial, to clearly explain that the prohibition applies to all forms of communication, research, and dissemination of information, including electronic and wireless devices. Provides that violation of this admonishment constitutes criminal and civil contempt of court.	I	
SB 319	Harman	2009	Sponsor	Eliminates the sunset and reporting requirement on provisions allowing courts to impose monetary sanctions for failure to appear in response to a jury summons. Decreases the amount of time that must elapse before a compliance action may be initiated.	III, IV	
AB 1769	Galgiani	2008	Oppose	Exempts all peace officers from jury duty in civil and criminal matters.	IV	Fundamentally opposed to categorically exempting individuals from jury duty.
AB 1828	Huff	2008	Oppose	Excuses from jury service, upon request, a prospective juror who has served as a precinct officer or precinct board member on a statewide or local election during the previous 12 months.	IV	
AB 1557	Feuer	2007	Support	Reduces peremptory challenges to six per side in all misdemeanor cases, rather than only those misdemeanors resulting in imprisonment for 90 days or less.	IV	
SB 171	Alquist	2006	Oppose	Requires that any custodial interrogation of an individual relating to a felony offense be electronically recorded, and codifies a jury instruction to be used verbatim if a court finds that a defendant was subjected to an unlawful custodial interrogation.	I, IV	
SB 1281	Romero	2006	Support	Prohibits a state agency from entering into a contract for the acquisition of goods or services with a contractor who does not have and adhere to a written policy providing his or her employees with not less than five days of regular pay for actual jury service.	IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1180	Harman	2003	Sponsor	Clarifies that when a person is summoned but fails to appear for jury service, the court may impose reasonable monetary sanctions on the prospective juror following an order to show cause hearing.	III, IV	Strengthen courts' ability to enforce orders.
AB 2925	Migden	2002	Support	Eliminates reimbursement for the first day of travel to the court for jury duty; increases reimbursement rate for second and subsequent days from 15 cents to 34 cents per mile, one way.	IV	Part of larger effort to improve jury system.

F. *INTERPRETERS*

To ensure access to justice, the council seeks to attract quality interpreters and meet the courts' caseload demands. The council supports increased compensation and standardized payment practices and procedure for court interpreters.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 310	Santiago	2019	Oppose categorical exemption; no position on remaining provisions	Prohibits the selection of designated probation officers for voir dire in criminal matters. Sunsets these exemptions on January 1, 2024. Directs the Judicial Council to submit a report to the Legislature by January 1, 2023, on the impact of categorical exemptions to jury service, including the impacts to court administration, jury pool diversity, and overall access to justice caused by delays in scheduling.	I	
SB 1155	Hueso	2018	Oppose	Deletes the exemption of small claims from the definition of a court proceeding in Government Code section 68560.5, making clear that courts may provide interpreters in all civil proceedings. As amended, also repeals Code of Civil Procedure section 116.550, which provides small claims courts with flexibility to appoint temporary interpreters when certified, registered, or provisionally qualified interpreters are unavailable.	I, II, IV	
AB 1657	Gomez	2014	Sponsor	Declares the intent of the Legislature to provide interpreters to all parties who need language services in all civil matters; authorizes a court to provide an interpreter to a party in civil matters, regardless of income; and creates a priority order for such services based on the availability of funding.	I, IV	
AB 1127	Chau	2013	Neutral	Allocates $6 million from the Trial Court Trust Fund for a pilot program publicly funding interpreters in civil cases in three counties.	I, IV	
AB 618	Furutani	2011	Oppose	Requires the court to provide separate interpreters for defendants and witnesses, and for codefendants in specified proceedings.	I	Strains court's ability to provide interpreters.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 663	Jones	2009	Sponsor interpreter-related provisions; no position on legal aid provision.	Requires the Judicial Council to establish a working group to develop best practices to expand the use of interpreters and a pilot project to test the workability of the developed best practices.	I, III, IV	
AB 2227	Chu	2006	Support	Requires the Judicial Council to establish the Blue Ribbon Panel on Language Access in the Courts. Requires the panel to report to the Legislature and the Judicial Council on the existing interpreter certification system.	I, IV	
AB 2302	Committee on Judiciary	2006	Support if funded	Requires that an interpreter be present whenever needed in any civil matter, including family law and probate, or in any court-ordered or court-provided alternative dispute resolution, including mediation and arbitration. Specifies the priority for use of funding and interpreters provided for civil matters.	I, IV	
SB 927	Escutia	2001	Oppose unless funded	Requires that a certified or registered court interpreter be provided at court expense in any family law proceeding that involves allegations of domestic violence.	I, IV	

IV. SUBSTANTIVE LAW

A. *JUVENILE DELINQUENCY*

The council supports legislation to ensure that judges have sufficient discretion and placement and treatment options to fulfill their obligations to promote the rehabilitation and reintegration of juvenile offenders, the safety of the community, and accountability to victims.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 465	Eggman	2019	Support	Defines various terms for purposes of tracking the involvement of youth in both the child welfare and juvenile justice systems. States the intent of the Legislature to replace the term "delinquency" with "juvenile justice" in all parts of the code that address child welfare and juvenile justice.	IV	Bill was subsequently amended to address a different topic.
AB 689	Obernolte	2018	Sponsor	Authorizes the district attorney or minor's counsel to retain or seek the appointment of additional qualified experts with regard to determining competency. Requires the Judicial Council to adopt a rule of court relating to the qualifications of those experts.	I, IV	
AB 1214	Stone, M.	2018	Oppose	Formalizes processes and procedures related to the care and treatment of minors for whom a doubt is cast as to their competence to be involved in the adjudication of petitions against them. Specifically limits the time frame for restoration of competency of minors to six months.	I, IV	
AB 935	Stone, M.	2017	Support provisions that match AB 689 (2018); no position on remaining provisions of the bill.	Among other things, clarifies the legal process and procedures in proceedings that determine the legal competency of juveniles.	I, IV	
AB 703	Bloom	2015	Support	Requires the council to adopt rules of court establishing the minimum training and education hours, or alternative recent experience, for an attorney to be appointed as counsel in delinquency proceedings.	I, IV	
AB 2195	Achadjian	2014	Support	Amends Welfare and Institutions Code section 256 to allow section 601 truancy violations, at the discretion of the referring probation officer, to be referred to the county juvenile traffic court and be heard by a hearing officer, instead of being referred to the juvenile court.	IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 1038	Leno	2014	Support if amended and funded	Removes the cap of 21 years of age by which a court must dismiss a petition against a former ward of the court. Does not require the court to have jurisdiction over the former ward at the time of dismissal of a petition. Further requires a court to automatically seal the records of minors under specified circumstances and grants limited access to such files without this access constituting "unsealing" of the records.	IV	
AB 1006	Yamada	2013	Support	Requires the Judicial Council to develop a form petition and instructional materials to be used by persons with juvenile offenses seeking to seal their juvenile records. Requires probation and the courts to ensure that juvenile offenders are provided with the petition and informational materials.	I, IV	
AB 1709	Mitchell	2012	Oppose	Provides that any minor whose case is being adjudicated in juvenile court for an offense that could be used as a future felony conviction under the "three strikes" law must be provided an opportunity for a jury trial.	IV	Imposes unreasonable burdens on juvenile courts.
AB 1547	Beall	2007	Support	Authorizes the juvenile court to order the probation department to provide a variety of services to a delinquent ward approaching the age of majority.	II, IV	
AB 2496	Steinberg	2002	Oppose unless amended	Requires that the minor, the minor's counsel, and a probation officer personally appear before the court during each periodic review of the minor's detention.	II, III	Will significantly increase length of proceedings; neutral if amended to achieve goals in more efficient way.

B. *JUVENILE DEPENDENCY*

The council supports timely and expeditious determinations in dependency matters, as well as measures to enhance the available placement options for dependent children. The council supports efforts to clarify the procedures for declaring a child a dependent of the court. The council also supports maintaining judicial discretion to terminate dependency.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 465	Eggman	2019	Support	Defines various terms for purposes of tracking the involvement of youth in both the child welfare and juvenile justice systems. States the intent of the Legislature to replace the term "delinquency" with "juvenile justice" in all parts of the code that address child welfare and juvenile justice.	IV	Bill was subsequently amended to address a different topic.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 686	Waldron	2019	Support	Requires the Judicial Council, by July 1, 2021, to adopt one or more rules of court to allow for telephonic or other remote appearance options by an Indian child's tribe in proceedings where ICWA may apply. Prohibits the imposition of a user fee for telephonic or other computerized remote access for court appearances.	I, III, IV	
AB 800	Chu	2019	Oppose	Permits an individual who is a participant in the address confidentiality Safe at Home program under Government Code, title 1, division 7, chapter 3.1 (§ 6205 et seq.) to file a civil proceeding using a pseudonym and to exclude or redact other identifying characteristics of the plaintiff from all pleadings and documents filed with the court. Requires the Judicial Council to coordinate with the Secretary of State to adopt or revise rules and forms to implement the provisions of the bill on or before January 1, 2021. Permits, if the protected person is a minor dependent or minor ward of the state, the minor's parent, guardian, or attorney to notify the minor's social worker or probation officer of the minor's participation in the action, and requires the social worker or probation officer to keep information related to the action confidential.	IV	
AB 859	Maienschein	2019	Neutral	Requires the State Department of Social Services, in consultation with the Judicial Council, to convene a stakeholder group, as defined, to make recommendations by January 1, 2022, related to juvenile dependency proceedings, with the purpose of improving child and family outcomes in juvenile dependency court and enhancing collaboration between juvenile dependency courts and child welfare services.	II	
AB 1617	Bloom	2018	Sponsor	Clarifies that people who are entitled to seek review of certain orders in juvenile proceedings who then file a notice of appeal or are respondents in such appellate proceedings may, for purposes of those appellate proceedings, petition the courts to access and copy those records to which they were previously given access by the juvenile court.	I, IV	
AB 3047	Daly	2018	Support	Expressly waives pro hac vice fees when an applicant is an attorney representing a tribe in a child welfare matter under the Indian Child Welfare Act (25 U.S.C. § 1901 et seq.).	I, IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 3176	Waldron	2018	Support	Amends various sections of the Welfare and Institutions Code related to Indian children in light of the regulations and guidelines recently promulgated by the federal government concerning, and clarifying requirements under, the Indian Child Welfare Act (ICWA). As recently amended, ensures that courts are not required to apply ICWA to cases where there is no ongoing reason to know the child is an Indian child, clarifies the difference between when a court has reason to know versus when a court has reason to believe a child is an Indian child, clarifies the timing and requirements of ICWA inquiry, ensures that ICWA notice by registered or certified mail return receipt requested is not required in more situations than required under the federal regulations, addresses concern about clarifying procedural issues such as exchange of information between tribal and state courts, and clarifies how the emergency proceeding provisions in the federal regulations relate to California law and practice.	I, IV	
AB 1441	Stone	2014	Support	Requires local school districts to calculate and award full or partial academic credit to foster youth who transition between schools for work done that achieved a grade of D or higher.	IV	Supports foster youth in completing their education.
AB 1618	Chesbro	2014	Sponsor	Provides tribal entities and officials with access to confidential juvenile court files and records for children who are members of the tribe or eligible for membership in the tribe. By explicitly including tribes, tribal officials, and tribal entities within the exception to the confidentiality of juvenile court files, this bill will solve a conflict between federal and state law on one side, and juvenile courts on the other.	I, IV	
AB 2454	Quirk-Silva	2014	Support	Allows an individual who received extended foster care or adoption assistance aid after turning 18 years old to petition for resumption of dependency jurisdiction.	IV	
AB 73	Feuer	2011	Support	States the intent of the Legislature to enact legislation providing that juvenile court hearings in juvenile dependency matters be presumptively open to the public unless the court finds that admitting the public would not be in a child's best interest.	I	Promotes public trust in juvenile court.
AB 743	Portantino	2010	Support	Modifies the standard for sibling visitation to require that if siblings are not placed together the social worker must explain why placement together would be contrary to the safety or well-being of any sibling. Requires a social worker considering a change of placement that will result in sibling separation to notify the attorney for the child being moved as well as the attorney for any affected sibling.	IV	Assists court in keeping siblings together.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1852	Portantino	2010	Support	Requires the county welfare department to document in the reports it provides to the court at the disposition hearing its efforts to locate and contact relative and nonrelative extended family members of a dependent child to establish permanent familial connections between the child and his or her family.	IV	Improves ability of court to find permanency for dependent children.
SB 962	Liu	2010	Support	Allows incarcerated parents to participate in specified court proceedings concerning parental rights via videoconferencing or teleconferencing if the technology is available	I	Reduces need to continue dependency proceedings for an incarcerated parent's absence.
AB 12	Beall	2009	Cosponsor	Implements federal foster care reform legislation to provide federally subsidized relative guardianships and extend foster care jurisdiction to age 21.	IV	
AB 131	Evans	2009	Sponsor	Authorizes the Judicial Council to implement a cost recovery program to collect reimbursement from parents for the cost of dependency counsel, and directs that the recovered funds be used to reduce caseloads for attorneys.	I, IV	Promotes fairness outcomes in dependency proceedings.
AB 938	Committee on Judiciary	2009	Sponsor	Requires that social workers immediately investigate the identity and location of all adult grandparents and other relatives of a child after the child is detained, and notify the relatives that the child has been removed from his or her parents and of the means by which the relative might participate in the care of the child.	IV	Engages relatives in dependency court to promote best interests of child.
AB 1405	Maze	2008	Support	Provides that information obtained from a minor during an assessment to determine the appropriate status of a minor who meets the definition of both a dependent and a delinquent ward cannot be used against the minor in other proceedings.	II, IV	Ensures court obtains necessary information.
AB 3051	Jones	2008	Support	Requires the court to determine whether a child age 10 or older who is not present was given an opportunity to attend the hearing. Provides that the court may make any orders reasonably necessary to ensure that the child has an opportunity to attend.	I, IV	Ensures that children can participate in proceedings.
AB 2130	DeVore	2006	Oppose	Requires the court to consider the religious, cultural, moral, and ethnic values of a child or of his or her birth parents, before placing a dependent child for adoption.	I, II	Inappropriately limits judicial discretion.
AB 2480	Evans	2006	Support if funded	Requires the appointment of appellate counsel to represent a dependent child if the child is an appellant, or if the Court of Appeal determines that the child would benefit from the appointment of separate counsel.	IV	
SB 1667	Kuehl	2006	Support	Requires that the social worker provide foster parents with a caregiver information form and information on how to submit it to the court. Provides rights for caregivers to receive notice of postpermanency planning hearings.	IV	Ensures that court receives all relevant information regarding dependent children.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 519	Leno	2005	Sponsor	Allows the juvenile court to issue ex parte protective orders for parents and caretakers even without regard to the child's need for a protective order.	IV	Allows the juvenile court to protect families in an efficient individualized manner.
AB 129	Cohn	2004	Sponsor	Authorizes counties to implement dual status (dependency and delinquency) protocol for children in juvenile court.	IV	Ensures adequate oversight for dual need children.
AB 524	Haynes	2003	Oppose	Requires that a child who has been removed from his or her parents' custody be returned within five working days in certain circumstances.	III	March 26, 2003 amendments eliminated provisions related to criminal proceedings. Council opposition withdrawn.
SB 59	Escutia	2003	No position, but seek amendments	Provides expedited appellate review of disputed placement orders in juvenile dependency cases.	N/A	June 11, 2003 amendments conformed the writ process to the one established in Welfare and Institutions Code section 366.26(1).
AB 2336	Negrete McLeod	2002	Support	Requires that orders for the temporary removal of a prisoner to attend a hearing pertaining to parental rights must be issued at least 12 days before it is to be executed.	I, IV	Ensures access to proceedings for affected parties.
SB 2160	Schiff	2000	Sponsor	Creates a presumption that children in dependency proceedings would benefit from the appointment of counsel.	I, IV	Improves ability of court to fulfill role in dependency cases.

C. *FAMILY LAW*

The council supports legislation consistent with its goal of increasing access to the courts. The council supports efforts to provide adequate assistance to pro per litigants in family law cases, as well as litigants who face language barriers. The council seeks to maintain judicial discretion to make family law decisions based on the best interest of the child. The council also seeks to clarify the process the court should follow and the factors the court can appropriately consider in family law cases.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 435	Moorlach	2019	Oppose	Allows a party in a proceeding for dissolution of marriage or for legal separation to rely on hearsay evidence in establishing the character and value of separate and community property in certain circumstances. Permits hearsay in reports by child custody recommending counselors if the hearsay statement is relied on by an expert in forming the expert's opinion if the hearsay statement is of the type routinely relied on by the expert and the statement has been evaluated by the expert and determined to be trustworthy. Requires the Judicial Council, on or before January 1, 2021, to promulgate a statewide rule of court requiring a person conducting an evaluation, investigation, or assessment in a child custody case to make and maintain a detailed record of all interviews conducted during the evaluation, investigation, or assessment process and to maintain the interview records until the case is resolved by final order. Requires the Judicial Council to promulgate a statewide rule of court requiring a person conducting an evaluation, investigation, or assessment in a child custody case to have obtained specified training.	I, II, IV	
AB 808	Cunningham	2018	Oppose	Allows a court to appoint a private attorney who has not met the training, education, and/or experience requirements stated in rule 5.242 of the California Rules of Court to represent a child in a custody or visitation proceeding if an attorney who has met the requirements is unavailable and the appointment is in the best interests of the child.	IV	
AB 2274	Quirk	2018	No position	Changes from mandatory to permissive the provision that provides for the court to assign sole or joint ownership of a pet animal.	IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2373	Acosta	2018	Support	Permits a party who has complied with notice and disclosure provisions related to the disclosure of assets and liabilities to waive the right to receive the noncomplying party's disclosures without the need for a hearing and court approval. Requires the complying party to file and serve a declaration, executed under penalty of perjury, waiving receipt of the noncomplying party's disclosures and making other specified statements. Specifically, requires the complying party to affirm that he or she has been advised and informed that he or she is entitled to full financial disclosure from the other party and waives that right knowingly, intelligently, and voluntarily.	IV	
SB 1129	Monning	2018	Oppose, unless amended to limit the bill's provisions to those proposed for section 4324.5 of the Family Code	Includes domestic violence and related convictions—as well as misdemeanor domestic violence or a misdemeanor that results in a term of probation, as defined—perpetrated by one spouse against the other in the rebuttable presumption that an award of spousal support to the convicted spouse is prohibited and that the injured spouse shall not pay attorney fees, and states that the injured spouse shall be entitled to a 100 percent of the community property interest in the injured spouse's retirement and pension benefits. Provides that a convicted spouse may present documentation of his or her history as a victim of a violent sexual offense perpetrated by the other spouse, from which the court may determine that the presumption against awarding support and benefits does not apply.	I, IV	
AB 712	Bloom	2017	Support, if amended to remove the requirement to draft a rule of court.	Allows a court transferring jurisdiction over a family law matter to retain emergency jurisdiction over the case until the receiving court formally assumes jurisdiction. Requires the Judicial Council to establish time frames for transferring and assuming jurisdiction over family law matters.	IV	Specific needs of each family law case.
SB 917	Jackson	2016	Oppose, unless funded	Requires a court to provide "a written, detailed, official order setting forth the basic terms of any order made in open court" at any hearing held under the Family Code within two court days of the hearing to any party who was present.	I, IV	Creates unworkable burden on judges and staff.
SB 594	Wieckowski	2015	Oppose	Requires the Judicial Council to develop forms that each investigator, evaluator, or mediator involved in child custody evaluations would be required to submit, along with their reports.	I, IV	Creates unworkable "one size fits all" approach to case-by-case family law disputes; limits relevant information to be received by judges.
AB 1337	Alejo	2012	Support	Specifies who shall be served with notice of a parentage proceeding when one parent is deceased and there is no current or pending custody or guardianship matter before the court.	I	Clarifies procedures in these cases.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2365	Nestande	2012	Support	Adds to the matters a court shall consider in determining the best interest of a child in a custody proceeding either parent's habitual or continual abuse of prescribed controlled substances. Eliminates the sunset date on the authority of the family court to order drug testing in custody matters.	II	Provides court with tools to make custody decisions in the best interest of children.
AB 2393	Davis	2012	Support	Increases the net disposable income adjustment for low-income child support obligors from $1,000 to $1,500, and directs the Judicial Council to calculate an annual adjustment to that amount each March 1 based on the change in the California Consumer Price Index.	IV	Will result in more enforceable child support orders.
AB 939	Committee on Judiciary	2010	Support	Makes numerous changes to provisions in the Family Code consistent with the recommendations of the Elkins Family Law Task Force.	I, IV	
AB 1050	Ma	2010	Support	Creates a presumption that a child is of sufficient maturity to provide input to the court on a child custody or visitation issue at age 14 and requires the court to permit the child to address the court unless the court finds that testimony is not in the child's best interest and states its reasons on the record.	IV	Ensures courts can appropriately consider input of child.
AB 2475	Beall	2010	Oppose	Provides that the doctrine of judicial or quasi-judicial immunity shall not apply to any private third party engaged by the court for his or her expertise in family law matters in an advisory capacity.	II	Interferes with ability of court to obtain expert information.
AB 612	Beall	2009	Oppose	Prohibits the consideration of a "nonscientific theory" in a child custody matter, as defined, and disallows the admission into evidence of any child custody evaluation report that includes a nonscientific theory.	II, IV	Creates inconsistent and unworkable evidentiary standard.
AB 1822	Beall	2008	Oppose	Requires the court, in any proceeding to establish or modify spousal support, to deny spousal support to a party convicted of a sexual offense against a minor.	II	Inappropriately limits judicial discretion.
SB 1255	Harman	2008	Support	Extends until January 1, 2013, the authority of the family court to order a person seeking custody or visitation of a child to undergo testing for drug or alcohol abuse in specified circumstances.	II, IV	Ensures that court has relevant information in custody cases.
SB 1015	Murray	2006	Oppose	Requires the court to redact specified financial information from family law files.	II	Lessens public trust in court and imposes unnecessary administrative burdens.
SB 1482	Romero	2006	Oppose	Provides that a custodial parent has a presumptive right to change the residence of his or her child subject to the power of the court to restrain a change of residence. Requires the noncustodial parent to make a prima facie showing of harm to the child that would result from the relocation, necessitating a change in custody, but would disallow consideration of the normal incident of moving.	II	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1307	Dymally	2005	Oppose	Creates a rebuttable presumption that equal custody share is in the best interest of child.	II	Unduly limits court's ability to make custody orders on a case-by-case basis.
SB 544	Battin	2005	Oppose	Prohibits parents convicted of certain offenses from having unsupervised contact with their children.	II	Overly restricts court's ability to make custody orders in the best interest of child.
AB 2148	Diaz	2004	Oppose	Restricts the court from holding custody or visitation proceedings until after it has ruled on an application for attorney's fees.	II	Limits ability of court to act in best interest of children.
AB 2228	Garcia	2004	Support	Requires information sharing in cases pertaining to custody of children.	III, IV	Ensures well-informed court regarding child custody.
SB 730	Burton	2004	Oppose	Establishes presumptive right for a custodial parent to relocate with a child.	II	Unduly limits discretion of court to act in best interest.
SB 1616	Knight	2004	Oppose	Requires the court to state its reasons for making any spousal support order on the record and in writing.	II	Unnecessary and resource intensive.
SB 734	Ortiz	2003	Oppose	Restricts courts discretion to grant visitation.	II	Unduly restricts individual discretion.
SB 174	Kuehl	2002	No position	Requires the Judicial Council to select four nonconfidential mediation courts to implement a model with initial confidential mediation, with the allowance for subsequent recommending mediation if performed by a different mediator. Implementation contingent on funding.	N/A	
SB 1406	Kuehl	2002	Oppose unless amended	Requires that all child custody mediation be confidential, and prohibits the mediator from communicating with the court on any matter.	II, III, IV	Interferes with administration of family cases.
SB 1791	Rainey	2000	Oppose	Shifts responsibility for hearing Title IV-D–related child support actions to Department of Social Services administrative law judges.	I, II, IV	Inappropriately shifts judicial function to nonjudicial officers.

D. *DOMESTIC VIOLENCE*

The council supports efforts to improve court procedures in domestic violence cases and the way courts review allegations of domestic violence in family law proceedings. The council also supports measures that seek to simplify the process for obtaining a restraining order, and the process for making it enforceable.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1081	Quirk	2015	Sponsor	Amends restraining order statutes to eliminate the current provisions concerning the reissuance of temporary orders and replace them with new provisions providing a procedure for continuance of hearings.	IV	
AB 2089	Quirk	2014	Oppose unless amended	Amends numerous sections of the Domestic Violence Prevention Act (DVPA) including requiring a court to state its reasons for denying a request for a permanent domestic violence restraining order in writing or on the record.	IV	Increases workload on courts without adequately funding staff to meet new requirements.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1596	Hayashi	2010	Sponsor	Contains numerous technical changes to create more consistency in protective order statutes.	IV	Promotes consistent administration of law in protective order matters.
AB 104	Cohn	2005	Oppose	Requires a hearing on a motion to modify or dismiss a DVPA order to be held by the judicial officer that issued the order, if available.	II, III	Undue interference with court calendaring process.
AB 106	Cohn	2005	Oppose	Requires every trial court to establish a one-time amnesty program for fines and fees imposed for spousal abuse convictions or as a condition of probation for domestic violence offenses.	II, III	Contrary to the Judicial Council's enhanced collections strategy.
SB 1627	Kuehl	2002	Support	Clarifies procedures for entry of service of process for DVPA orders into the Domestic Violence Restraining Order System (DVROS) by requiring the court to either enter the information into DVROS directly or transmit proof of service to law enforcement for entry within one business day.	III, IV	Makes court orders more likely to be enforced.
SB 1780	Escutia	2002	Oppose unless funded	Requires the court to provide interpreters for specified parties in family law proceedings involving allegations of domestic violence at court expense.	I, IV	

E. *CONSERVATORSHIP AND PROBATE LAW*

The council supports clarification of conservators' duties and formulation of guidelines about conservatorships.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1667	Santiago	2019	Oppose	Seeks to authorize the creation and execution of an electronic will as an additional type of will that is a writing created, generated, sent, communicated, received, or stored by electronic means and signed electronically, if it meets specified requirements, including, among others, the requirement to be witnessed.	I, II, III	Significantly increases probate litigation by failing to protect testators' interests in crafting an electronic will.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 303	Wieckowski	2019	Oppose	Provides the presumption that the personal residence of the conservatee is the least restrictive appropriate residence for the conservatee and that, in any hearing to determine if removal of the conservatee from the conservatee's personal residence is appropriate, that presumption may be overcome by clear and convincing evidence. Requires a conservator to notify the court of the proposed sale of a present or former residence before the conservator commits any significant resources to the proposed sale, except as specified, and further requires the conservator to provide the court with additional information about the projected effect of the sale on the conservatee's capital gains income, tax liability, and eligibility for public benefits. Substantially limits the court's discretion to grant a conservator authority to sell a conservatee's personal residence without court confirmation of the sale. In addition, requires the conservator to demonstrate to the court, by clear and convincing evidence, a compelling need to sell the residence for the benefit of the conservatee, and deletes the authority of a court to waive certain requirements for a sale, including the requirement for a conservator to obtain an appraisal. Prohibits compensation to a guardian, conservator, or attorney with any government benefits program moneys designated for the conservatee, unless specifically authorized under other provisions of law.	II, IV	Inappropriately limits judicial discretion and interferes with judicial oversight over conservatees.
AB 1290	Obernolte	2018	No position	Provides that a guardian or conservator does not hold the attorney-client privilege in cases where the guardian or conservator has an actual or apparent conflict of interest with his or her ward or conservatee client.	II	
SB 1011	Roth	2018	Support	Among other things, requires the regional center, in a limited conservatorship case, to attach to its report the client's most recent individual program plan. Also requires the regional center to deliver a copy of its report to the court at least 15 days (versus 5 days) before the hearing on the petition.	IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 333	Anderson	2017	Support	Clarifies that if all beneficiaries of an irrevocable trust consent, they may petition the court for modification or termination of the trust. Provides that if a trust is subject to a valid restraint on the transfer of a beneficiary's interest, as provided, the trust may not be terminated with the consent of all beneficiaries who are reasonably likely to take under circumstances. Provides that an irrevocable trust may be modified or terminated by the written consent of the settlor and all beneficiaries without court approval. Clarifies that if any beneficiary does not consent to the modification or termination of an irrevocable trust, with the consent of the settlor the court may modify or partially terminate the trust if the interests of the beneficiaries who do not consent are not substantially impaired.	IV	
AB 691	Calderon	2016	Neutral	Enacts the Revised Uniform Fiduciary Access to Digital Assets Act. Among other things, authorizes a decedent's personal representative or trustee to access and manage digital assets and electronic communications, as specified. Establishes specified court procedures for resolving disputes between custodians and fiduciaries regarding access to a decedent's digital assets.	IV	
AB 1300	Ridley-Thomas	2016	Support section 9; no position on remaining provisions that are outside Judicial Council purview.	Makes various changes to the law governing involuntary commitments to mental health facilities. Among other things, conforms the immunity provisions in the Lanterman-Petris-Short (LPS) Act by extending immunity protections currently provided to court-appointed hearing officers and other specified persons involved in the involuntary commitment process to the same group of persons in counties that utilize the 30-day involuntary hold provisions under the LPS Act (see Welf. & Inst. Code § 5270.10 et seq.). Provides specifically that the court-appointed commissioner or referee, or the certification review hearing officer, among others, would be entitled to immunity from liability for any action by a person who is released at or before the end of the 30-day intensive treatment period.	IV	
AB 1700	Maienschein	2016	Support	Authorizes a trustee to provide a notice of proposed action for preliminary and final distributions.	IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SB 938	Jackson	2016	Support	Seeks to tighten up the law governing the use of psychotropic medications for persons subject to dementia conservatorships. Among other things, requires petitions requesting the authority to administer such medications to be supported by a declaration of a physician that includes specified information including, among other things, the recommended course of medication, the expected effects of the recommended medication on the conservatee's overall mental health and treatment plan, including how the medication is expected to improve the conservatee's symptoms, and a description of the potential side effects of the recommended medication. Requires the Judicial Council, on or before July 1, 2017, to adopt rules of court and develop appropriate forms for the implementation of these provisions.	IV	
SB 1158	Anderson	2016	Support	Among other things, clarifies the ability of all beneficiaries of an irrevocable trust to petition the court for a modification or termination of the trust. Requires the court to consider, in making a determination with respect to a proposed termination of an irrevocable trust, whether the trust is subject to a valid restraint on the transfer of a beneficiary's interest. Clarifies further that an irrevocable trust may be modified or terminated by the written consent of the settlor and all beneficiaries without court approval of the modification or termination.	IV	
AB 314	Waldron	2015	Oppose	Dispenses with the requirement for a court investigation in cases to establish a limited conservatorship for a person with developmental disabilities when the proposed conservator is a parent of the proposed conservatee. Authorizes (rather than requires) the proposed limited conservatee, with his or her consent, to undergo an assessment at a regional center that will be used for the purposes of the conservatorship proceedings.	III, IV	Interferes with court's ability to oversee conservatorship cases.
AB 691	Calderon	2015	Oppose	Enacts the Privacy Expectation Afterlife and Choices Act (PEAC Act). Among other things, authorizes a defined electronic communication service or remote computing service (provider) to disclose specified information pertaining to the account of a deceased user to the personal representative of the decedent's estate or the trustee of the decedent's trust if provided with prescribed information. Authorizes a probate court with jurisdiction over the deceased user's estate or trust to order disclosure of certain information if the court makes specified findings, including that the request for disclosure is narrowly tailored to the purpose of administering the estate or trust.	III	Interferes with court administration of trusts and estates.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 900	Levine	2015	Concerns	Establishes a new and unprecedented form of guardianship for certain youth between ages 18 and 21 who may qualify for federal Special Immigrant Juvenile (SIJ) status. Among other things, this bill allows, with the consent of the proposed ward, a probate court to establish a guardianship of the person for an unmarried individual, who is at least 18 years of age, but not yet 21, in connection with a petition to make necessary findings regarding SIJ status, as specified	II	Complicates court's ability to provide proper oversight.
AB 1085	Gatto	2015	Neutral on sections 1 and 2; no position on remaining provisions, which are outside the council's purview.	Among other things, allows a court to issue an order that either (1) specifically grants a conservator of the person the power to enforce the conservatee's right to receive visitors, telephone calls, and personal mail; or (2) directs the conservator to allow such visitors, telephone calls, and personal mail.	IV	
AB 1300	Ridley-Thomas	2015	Support section 26; no position on remaining provisions which are outside Judicial Council purview.	Among other things, conforms the immunity provisions in the Lanterman-Petris-Short (LPS) Act by extending immunity protections currently provided to court-appointed hearing officers and other specified persons involved in the involuntary commitment process to the same group of persons in counties that utilize the 30-day involuntary hold provisions under the LPS Act (see Welf. & Inst. Code § 5270.10 et seq.).	II	
AB 2034	Gatto	2014	Oppose	Among other things, allows first-degree relative of an elder or dependent adult to file a petition for a protective order to enjoin a person from keeping the elder or dependent adult in isolation from contact with the relative.	III	Interferes with the ability of the courts to resolve these family disputes in an efficient and effective manner.
SB 940	Jackson	2014	Support	Among other things, provides, effective January 1, 2016, provisions for interstate jurisdiction, transfer, and recognition of conservatorships under the California Conservatorship Jurisdiction Act.	I, IV	
AB 1893	Wagner	2012	Support	Clarifies the procedural rules that apply to probate proceedings.	IV	Improves court administration of probate cases.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 458	Atkins	2011	Sponsor	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. Specifies circumstances under which the court in a guardianship proceeding would maintain exclusive jurisdiction to determine issues of custody or visitation.	I, III	
AB 2271	Silva	2010	Support	Adds temporary trustees to the list of persons who may be appointed by the court during an appeal of certain probate orders.	II, IV	
SB 1041	Harman	2010	Support	Among other things, provides that evidence of a statement made by a declarant who is unavailable as a witness that he or she has or has not established or revoked a revocable trust, or that identifies his or her revocable trust, is not made inadmissible by the hearsay rule because the declarant is unavailable as a witness.	II, IV	
AB 1163	Tran	2009	Support	Clarifies that the attorney-client privilege is held by a deceased client's personal representative appointed for subsequent estate administration after the original personal representative has been discharged. Provides that no attorney-client privilege exists for communications relevant to issues between parties who all claim through a deceased client in a non-probate transfer.	I, IV	Improves administration of justice.
AB 1340	Jones	2008	Support	Requires a guardian or conservator, in a first accounting filed with the court, to provide all account statements showing the account balance as of, rather than through, the closing date of the first court accounting. Requires notice be given 5 court days prior to a hearing on the appointment of a temporary guardian or temporary conservator. Prohibits a court from permitting a person without a valid professional fiduciary's license to continue to carry out the duties of a professional fiduciary.	IV	Improves court's oversight of these cases.
AB 1880	Tran	2008	Oppose	Requires a guardian or conservator to post a separate recovery bond for the benefit of the ward or conservatee and any person interested in the guardianship or conservatorship estate who may bring a surcharge action against the guardian or conservator for breach of duty.	III, IV	Multiple bonds are more difficult to administer, and they would impair the court's ability to provide proper oversight.
AB 2014	Tran	2008	Support	Requires a guardian or conservator to use ordinary care and diligence to determine whether the ward or conservatee owns real property in a foreign jurisdiction and to preserve and protect that property.	IV	Improves court's oversight of these cases.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2247	Spitzer	2008	Oppose unless amended; neutral if amended	Requires a guardian or conservator to file an investment plan with a court not more than six months after the issuance of letters of guardianship or conservatorship. Revises and expands the list of obligations and securities in which a guardian or conservator may invest funds of the estate without court authorization.	IV	Interferes with the ability of the court to protect conservatees' assets.
SB 1264	Harman	2008	Support	Beginning January 1, 2010, revises, recasts, and clarifies the law governing no contest clauses in wills and trust instruments. Limits the enforceability of no contest clauses to direct contests brought without reasonable cause, transfers of property, or creditor claims as specified. Defines direct contest and probable cause for these purposes. Eliminates provisions regarding the authority of a beneficiary to apply to a court for a determination regarding a no contest clause.	I, IV	Improves access to the courts and enhances court administration.
AB 1727	Committee on Judiciary	2007	Support	Enhances a court investigator's access to confidential medical information. Prohibits a conservatorship of the person or of the estate from being granted unless the court makes an express finding that the granting of the conservatorship is the least restrictive alternative needed for the protection of the conservatee. Creates new requirements on courts when guardianships and conservatorships are transferred from other jurisdictions.	II, IV	Improves court's ability to provide oversight of these cases.
SB 340	Ackerman	2007	Cosponsor	Broadens list of agencies entitled to receive criminal history reports to include probate court conservatorship and guardianship investigators.	II, IV	Improves the court's ability to provide oversight in guardianship and conservatorship cases.
AB 1363	Jones	2006	Support if funded	Makes a number of reforms to the probate conservatorship system, including enhanced court reviews of conservatorships primarily through increasing the frequency and scope of court investigations.	II, IV	Improves court's ability to provide oversight of these cases.
SB 1116	Scott	2006	Support	Increases court oversight of moves of conservatees and the sale of their homes.	II, IV	Improves the court's ability to provide oversight of these cases.
SB 1550	Figueroa	2006	Support	Enacts the Professional Fiduciaries Act, which establishes in the Department of Consumer Affairs a new licensure scheme governing professional conservators, guardians, and other fiduciaries.	II, IV	Improves the courts oversight in these cases.
SB 1716	Bowen	2006	Support if funded	Authorizes the court to take action in response to ex parte communications regarding a guardian's or conservator's performance of his or her fiduciary duties.	II, IV	Improves the court's oversight of these cases.
AB 541	Harman	2005	Support	Allows the court to test prospective guardians for drugs or alcohol and exempts guardians of the person only from having to register with the Statewide Registry.	II, IV	Enhances court's discretion and improves court's ability to oversee these cases.
AB 1155	Liu	2004	Support	Requires the Judicial Council to adopt a rule of court that specifies the qualification and educational requirements of private professional conservators and private professional guardians.	II, IV	Improves court's ability to oversee these cases.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 1851	Harman	2004	Support	Revises and recasts the law concerning the court's responsibility to approve compromises of claims of minors, and settlements or actions or disposition of judgments in favor of minors or "incompetent persons." Permits the court to establish a special needs trust for a disabled minor that will continue under court supervision after the minor reaches age 18.	IV	Improves the court's ability to administer these cases.
AB 1883	Harman	2004	Support	Prevents routine waivers but allows court discretion in waiving bond requirement where it is warranted.	II, IV	Enhances court's discretion.
AB 1784	Harman	2002	Support	Implements the recommendations of the California Law Revision Commission for clarification of Probate Code provisions regarding the construction of trusts and other instruments.	III, IV	Promotes clarity and consistency in the handling of these cases.

V. MISCELLANEOUS

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 868	Ammiano	2013	No position	Mandates that existing required training standards for judicial officers who hear family law matters, Court Appointed Special Advocates, and attorneys for children in dependency cases be modified to include training on cultural competency and sensitivity with regard to gay, lesbian, bisexual, and transgender youth.	II, V	Directed staff to articulate the concern of the Judicial Council on the precedent that is being established by enacting statutory training requirements for judges, and to highlight the importance of recognizing judicial independence and oversight over training.
AB 1208	Calderon	2011	Oppose	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. Reduces the council's role in ensuring the stability of trial court operations and providing management or oversight of trial court budgets.	I, II, III, IV	
SB 1417	Cox	2010	Support	Modifies the process for formation of Societies for the Prevention of Cruelty to Animals and for the appointment of humane officers.	III, IV	Provides clear court process.
AB 2301	Committee on Judiciary	2006	Support	Provides the State Bar with the authority to collect voluntary financial support from its membership to support organizations that provide free legal services to those of limited means.	I, IV	

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
SCA 3	Lowenthal	2006	No position	Shifts redistricting responsibility from the Legislature to an 11-member Independent Redistricting Commission to reapportion legislative and congressional districts. Provides that the California Supreme Court has original and exclusive jurisdiction over all challenges to a redistricting plan adopted by the commission. Requires the Judicial Council to appoint a panel of 10 retired justices of the state Courts of Appeal, and for that panel to establish a pool of 50 candidates for the Independent Redistricting Commission.	N/A	
SB 1246	Burton	2004	No position	Requires the Supreme Court and the State Bar to develop standards and rules of professional conduct governing the propriety of an attorney appearing before a court where that individual previously served as a judicial officer.	N/A	Outside purview.

A. *ACCESS TO JUSTICE*

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 2664	Holden	2018	Support	Provides that at the arranging party's request, the court shall appoint a certified shorthand reporter to be present in the courtroom and serve as the official reporter pro tempore unless there is good cause shown for the court to refuse that appointment. Makes fees and charges of the certified shorthand reporter recoverable as taxable costs by the prevailing party.	I, II, IV	
SB 339	Roth	2017	Support	Requires the Judicial Council to report to the Legislature, on or before June 1, 2020, on a study of veterans and veterans treatment courts conducted by the council that includes a statewide assessment of veterans treatment courts currently in operation and a survey of counties that do not operate veterans treatment courts. The study must identify barriers to program implementation and assesses the need for veterans treatment courts in those counties.	IV	
SB 597	Lara	2013	Support if amended and funded	Requires the Judicial Council to select up to five courts to participate in a pilot project to provide interpreter services to limited-English-proficient parties in civil matters.	I	Interpreter pilot project
AB 590	Feuer	2009	Support	Creates a pilot project to provide legal representation to indigent litigants in specified civil case types including domestic violence, civil harassment, probate conservatorship, elder abuse, child custody matters in which one parent is seeking sole legal or physical custody, and housing-related cases, beginning July 2011, with the revenue from recently enacted increases to a number of miscellaneous civil court fees.	I, IV	Improves access to justice for unrepresented litigants.

BILL	AUTHOR	YEAR	POSITION	BILL SUMMARY	GOAL	NOTES
AB 663	Jones	2009	Sponsor interpreter-related provisions; no position on legal aid provision	Requires the Judicial Council to establish a working group to identify and develop best practices to expand the use of interpreters in civil proceedings and to implement a three-year pilot project in up to five courts to provide interpreters in civil proceedings. Also requires the Judicial Council to enter into one or more master agreements with telephonic appearance providers to provide uniformity in the fees charged and requires $15 per appearance to support the cost of the civil interpreter pilot project. Limits the use of the term "legal aid."	I	Pilot project
AB 2448	Feuer	2008	Sponsor	Revises and redrafts the existing statute governing court fee waivers to ensure that indigent litigants have an opportunity to access the courts in a timely manner, and to provide for recovery of those fees in appropriate cases.	I, III, IV	
AB 3050	Jones	2008	Sponsor	Requires the Judicial Council to establish a working group to identify and develop best practices to expand the use of interpreters in civil proceedings. Requires the Judicial Council to implement a pilot project to provide interpreters in civil proceedings, in up to five courts, to implement the best practices identified by the working group. Requires that the Judicial Council enter into one or more master agreements to provide uniform fees for telephonic appearances in civil cases and provides that funding from this source will support the interpreter pilot project.	I	Interpreter pilot project
AB 171	Beall	2007	Support	Establishes the Assumption Program for Loans for Law in the Public Interest, to provide up to $11,000 in loan assumption benefits over a four-year period to public interest attorneys.	I	
AB 1723	Committee on Judiciary	2007	Support	Requires banks that hold interest on lawyer trust accounts (IOLTA) to allow those accounts to participate in higher-paying investment products, or receive an interest rate that is comparable to the rates paid by those investment products (referred to as "IOLTA comparability").	I	