



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: May 15, 2020

Title

Legislation Committee Chair's Report to the
Judicial Council

Agenda Item Type

Information Only

Date of Report

May 12, 2020

Submitted by

Judge Marla O. Anderson, Chair
Legislation Committee

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Executive Summary

The Legislation Committee represents the Judicial Council's position with other agencies and entities, such as the Legislature, the Governor's Office, the State Bar of California, local government, local bar associations, and other court-related professional associations. The committee determines positions consistent with the council's policy decisions and oversees advocacy for those positions. This report summarizes the committee's activities since the January 17 Judicial Council meeting and has met by telephone six times since that time.

Overview of Committee Meetings

The Legislation Committee's primary focus during these months has been continuing to provide input and take positions on legislation. The committee approved three legislative proposals to be circulated for public comment. The committee also received an update by staff regarding Judicial Council-sponsored legislation that was approved by the council at its November 14, 2019, meeting.

In addition, the committee had its name changed from the Policy Coordination and Liaison Committee to the Legislation Committee. This name change was approved by the council via Circulating Order 20-01, which amended California Rules of Court 10.12, 10.16, and 10.34. This name change better encapsulates the general focus of the committee's work responsibilities and reflect the core function of the committee.

On January 23, the Legislation Committee took a support, if amended, position on Senate Bill 444 to authorize a pilot project to address issues of access to justice faced by pro se litigants.

At its February 20 meeting, the committee voted to sponsor legislation to ensure that the new Shasta Superior courthouse has enough marshalls to transport in-custody defendants upon opening in early 2021. The committee also approved amendments to Judicial Council-sponsored legislation related to electronic filing and staff provided updates for sponsored legislation concerning gun violence restraining orders and telephone appearance fee revenue distribution.

Finally, at this same meeting, the committee approved submission of changes to provisions related to traffic, budget, and Penal Code to the Judiciary, Public Safety and Transportation Committee's Omnibus legislation bills.

On March 9, the Legislation Committee voted to support Assembly Bill 2108, which adds 50 new judgeships, upon a budget allocation by the Legislature for fiscal year 2020–21, to courts with the greatest need pursuant to the most recent Judicial Needs Assessment.

At its April 2 meeting, the committee approved circulation for public comment of three legislative proposals from the Criminal Law Advisory Committee, and two proposals from joint committees related to remote video appearances in civil action and tribal court orders relating to the division of marital assets. The committee also met and received an update on COVID-19 legislation related to the judicial branch and legislative actions and hearing schedules.

At its meeting on April 23, the committee supported Senate Bill 1133 related to peremptory challenges, voted to oppose Assembly Bill 2645 dealing with criminal procedure for animal abuse and neglect and acted to oppose Assembly Bill 2978, unless funded, dealing with arrest and conviction records review.

At its last meeting on May 7, 2020, the committee voted to oppose Assembly Bill 2991, and took a “no position” on Assembly Bill 3005, both dealing with CEQA. In addition, the committee revisited AB 1667 related to electronic wills and continued to take an oppose position. The legislation committee also voted to oppose Assembly Bill 2271, dealing with the Sargent Shriver Civil Counsel Act.

Also, since the council met last, as you know, the Chief Justice delivered her State of the Judiciary Address to the Legislature on March 10. The Chief's address was immediately followed by a meet and greet with Legislators and guests. In addition, the Bench-Bar Coalition's Day in Sacramento occurred the same day, when bench and bar leaders met with Legislators on issues of critical importance to the judicial branch.

Finally, our Judicial Council-sponsored proposals continue to move through the legislative process.

I will keep you informed of the progress of the council-sponsored legislation and other bills of interest to the judicial branch.