



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: September 25, 2020

Title

Legislation Committee Chair's Report to the
Judicial Council

Agenda Item Type

Information Only

Date of Report

September 17, 2020

Submitted by

Legislation Committee
Judge Marla O. Anderson, Chair

Contact

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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 July 24, 2020, Judicial Council meeting and has met by telephone four 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.

On July 30, 2020, the Legislation Committee acted to support the following bills:

- AB 1976 (Eggman) – Mental health services: assisted outpatient treatment
- AB 2025 (Gipson) – Mental illness and substance use disorder: restorative care program: pilot projects
- AB 2265 (Quirk-Silva) – Mental Health Services Act: use of funds for substance use disorder treatment
- SB 592 (Wiener) – Jury service

At this same meeting, the committee took an oppose, unless amended, position on AB 2731, SB 757, and SB 55, all related to expedited judicial review of California Environmental Quality Act (CEQA) cases. The Legislation committee also voted to support AB 1950, if amended, related to length of probation terms; revisited AB 3005 related to CEQA expedited judicial review and continued to oppose the bill, unless amended. Finally, the committee reviewed AB 1796 dealing with domestic violence restraining orders and directed staff to communicate to the author concerns with the provisions of the bill.

At the August 13 Legislation Committee meeting, the committee reconsidered AB 1796, dealing with domestic violence restraining orders and took an oppose, unless funded and amended position and also voted to remove opposition to AB 1667, dealing with electronic wills. The committee also reviewed AB 2542 related to criminal procedure and noted significant concerns and approved a letter of concerns to be submitted to the author.

At its August 20 meeting, the committee acted to approve one legislative proposal for Judicial Council–sponsorship related to extension of pretrial detention reform deadlines. The committee also voted to oppose AB 3234, unless amended and funded related to a misdemeanor diversion program. At this same meeting, the committee took a neutral, if amended position on SB 315 related to COVID-19 alternative adjudication program and staff provided the committee information related to the Department of Juvenile Justice Realignment proposed executive and legislative approaches.

The committee met yesterday, where we provided an orientation for new Legislation Committee members, Judge Joyce D. Hinrichs and Rebecca Fleming, on the operations of the Legislation Committee. The committee also approved three legislative proposals which will be brought to the council for sponsorship at the November meeting.

The Legislature recessed on August 31, 2020, and is scheduled to return on Monday, December 7, 2020, for its Organizational Session. Also, the last day for the Governor to sign or veto bills is September 30, 2020.

Finally, two of our Judicial Council–sponsored proposals, AB 2165 dealing with electronic filing and AB 2617, related to gun violence restraining orders, are on the Governor’s desk.

For further information on any of the bills the Legislation Committee has taken a position on, Governmental Affairs maintains a Status Chart showing the status and can be found at: <https://www.courts.ca.gov/4121.htm#legcharts>.