



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

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For business meeting on: October 1, 2021

Title

Legislation Committee Chair's Report to the
Judicial Council

Agenda Item Type

Information Only

Submitted by

Legislation Committee
Hon. Marla O. Anderson, Chair

Date of Report

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Contact

Cory Jasperson, 916-323-3121
cory.jasperson@jud.ca.gov

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 goals and oversees advocacy for those positions. This report summarizes the committee's activities since the July 9, 2021, Judicial Council meeting.

The Legislation Committee has met by videoconference five times since then and once by email.

Overview of Committee Meetings

With the September 10, end to the first year of the 2021–22 Legislative Session, the meeting schedule for the Legislation Committee has been busy since the last report to the Judicial Council.

Over the course of those meetings, the Legislation Committee's primary focus has been continuing to provide input and take positions on pending legislation.

At its July 22, 2021 meeting, the committee acted on AB 1576 related to lactation rooms within the courthouse and voted to take a neutral, if amended position. The committee also adopted a

neutral as proposed to be amended position on SB 578, which among other things, amends the Lanterman-Petris-Short (LPS) Act to clarify that hearings under the act are presumptively closed to the public if that hearing involves the disclosure of confidential information.

On August 5, the committee voted to defer action on AB 1474 dealing with consideration of costs related to sentencing and also voted to remove opposition on SB 483 also dealing with sentencing.

On August 19, the committee reviewed and voted on the following bills:

- AB 256 (Kalra) – Criminal procedure: discrimination (Neutral as proposed to be amended)
- AB 1259 (Chiu) – Criminal procedure: motion to vacate (No action taken; moved to a subsequent meeting);
- SB 81 (Skinner) – Sentencing: dismissal of enhancements (Neutral as proposed to be amended); and,
- SB 538 (Rubio) – Domestic violence and gun violence restraining orders (Oppose unless amended)

At its August 23 meeting, the committee revisited AB 1474 dealing with consideration of costs related to resentencing and voted to remove opposition, if amended. The committee also took a “neutral” position on SB 262 dealing with bail.

At the September 2 meeting, the committee revisited AB 1259 and voted to take a “no position,” but directed staff to send a letter of concern to the author. At this same meeting the committee took a neutral if amended position on AB 1540 dealing with criminal procedure.

On September 4, prompt action was necessary, and the committee voted by email to support SB 241 related to civil actions and remote proceedings.

The committee met yesterday, where we provided an orientation for new Legislation Committee members, Judge Jonathan B. Conklin, Presiding Judge Theodore C. Zayner, and Mr. David D. Fu, on the operations of the Legislation Committee.

Finally, one of our four Judicial Council–sponsored proposals this year has been signed, AB 627 dealing with recognition of tribal court orders: rights in retirement plans or deferred compensation. The remaining three proposals, AB 855 related to judicial holidays, AB 898 dealing with automatic conviction record relief, and, SB 827 which deals with electronic delivery of “documents or the data contained in the documents,” are on the Governor’s desk. The last day for the Governor to sign or veto bills is October 10, 2021.

For further information on any of the bills the Legislation Committee has taken a position on, please refer to the Governmental Affairs Status Chart: www.courts.ca.gov/4121.htm#legcharts. Position and fiscal letters on legislation are available on the Governmental Affairs web page, which is a valuable resource throughout the legislative year.