



The Capitol Connection

ADMINISTRATIVE OFFICE OF THE COURTS • OFFICE OF GOVERNMENTAL AFFAIRS

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Legislative Calendar

August 7
Legislature reconvenes
August 21–31
Floor session – no committees
August 25
Last day to amend bills on Floor
August 31
Last day for each house to pass bills

GOVERNOR SIGNS ON-TIME BUDGET

The Legislature adjourned for Summer Recess on July 7 after passing its first on-time state budget in six years. On June 30, the Governor signed the fiscal year 2006-07 budget. The following highlights the important funding provided to the judicial branch. The Judicial Council will convene on August 25, 2006, to allocate the budget for FY 2006–2007 and to consider other budget issues including judicial branch budget requests for FY 2007–2008.

New Trial Court Judgeship Positions: Funding for the last month of the upcoming fiscal year of \$5.45 million was approved to support the establishment of 50 judgeship positions and support staff. While the funding for the judgeships is approved, SB 56, introduced by Senator Joe Dunn last year, needs to be approved in order to authorize the first 50 positions designated

by the Judicial Council. The council will continue to pursue authorization in SB 56 to convert up to 161 subordinate judicial officer positions to judgeships over a several-year period.

Judicial Salaries: Effective January 1, 2007, there will be an 8.5 percent increase in judges’ base salary.

State Appropriations Limit (SAL) Funding: For FY 2006–2007, the trial courts’ budget will increase by \$113 million based on SAL. This represents the second year that the trial courts’ base budgets have been increased by an adjustment based on the year-to-year change in the state appropriations limit. Included in this amount is an expansion of SAL to additional areas of trial court funding: Equal Access Fund, the

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NEW LAWS WORKSHOPS TO BE HELD IN NOVEMBER

The Coalition of Trial Court Clerks’ Association (CTCCA) and the Administrative Office of the Courts (AOC) are once again jointly hosting the annual Implementation of New Laws Workshop (INLAWS) in November 2006. The workshop generated a great deal of interest last year, involving 270 attendees – court managers, supervisors and clerks – from 50 counties.

The workshop will be held as three one-day workshops in each of the three trial court regions on the dates and at the locations shown in the box at the right.

The workshops are a forum for reviewing key legislative provisions enacted by the Legislature in 2006 affecting court procedures and operations. The majority of these new laws must be implemented by January 1, 2007. Participants have

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WORKSHOPS

WEDNESDAY, NOVEMBER 8
Administrative Office of the Courts
Judicial Council Conference Center
455 Golden Gate Avenue
San Francisco, California 94102

THURSDAY, NOVEMBER 9
Tsakopoulos Library Galleria
828 I Street
Sacramento, California 95814

TUESDAY, NOVEMBER 14
Administrative Office of the Courts
Southern Regional Office
2255 North Ontario Street, Suite 200
Burbank, California 91504

10:00 AM – 3:00 PM

UPDATE ON JUDICIAL COUNCIL-SPONSORED LEGISLATION

New Judgeships/SJO Conversions

Senate Bill 56 (Dunn), which proposes the creation of new judgeships and the conversion of certain eligible subordinate judicial officers, is currently being held in the Assembly Appropriations Committee. The bill does not currently specify the number of positions to be added, however, it is proposed to be amended to (1) add 150 new judgeships - 50 each year for three consecutive years, and (2) allow for the conversion of 161 Subordinate Judicial Officer (SJO) positions to judgeships as positions eligible for conversion become vacant. Although the proposed judgeships will not meet all of the assessed needs, they will begin the process of increasing access to justice in communities with the most critical needs. The first 50 new judgeships are proposed to take effect in April 2007. Funding of \$5.450 million for the last month of the year in which the first 50 judges would be appointed is included in the FY 2006-07 state budget. For details, see "California's Legislature Recesses" on page 1 of this issue.

Although judgeship bills are often viewed in partisan terms, SB 56 is a bi-partisan effort. Support for new judgeships is building as legislators and key legislative staff become increasingly aware of the critical need throughout the state. Recent news articles and editorials have also drawn attention to the impact that the severe shortage of judges has on access to justice for all Californians. For more information on SB 56, contact *Eraina Ortega* at eraina.ortega@jud.ca.gov.

Court Facilities Bond

Senate Bill 395 (Escutia), which states the intent of the Legislature to enact the California Court Facilities Bond Act of 2006 to acquire, rehabilitate, construct, and finance court facilities, passed the Senate on June 1, 2005. The bill was amended to omit the amount of the proposed bond.

If approved by the Legislature and the Governor, the bond would be placed on the ballot in an upcoming statewide election. The bill is being held in the Assembly Appropriations Committee. For more information on SB 395, contact *Eraina Ortega* at eraina.ortega@jud.ca.gov.

Judges' Retirement

SB 1187 (Ackerman), Judges' Retirement System II, as introduced on January 19, 2006, 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. For more information on SB 1187, contact *June Clark* at june.clark@jud.ca.gov.

Protective Orders

AB 2129 (Spitzer) - Firearms Relinquishment: Protective Orders: Requires that any firearms in the possession of a person subject to a protective order issued by a criminal court, or for civil harassment, workplace violence, or elder and dependent adult abuse be relinquished within 24 hours of the order being served on the restrained person. Status: Senate Public Safety Committee. For more

information on AB 2129, contact *Tracy Kenny* at tracy.kenny@jud.ca.gov.

Miscellaneous Court Operations

AB 2303 (Assembly Judiciary Committee) - Civil omnibus: Court Operations: The Judicial Council sponsors the following provisions of this omnibus bill: 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 makes permanent existing statutory authority for courts to impose modest monetary sanctions upon jurors who fail to respond to a jury summons. The bill also includes language seeking to help direct the allocation of self-help funding statewide and within local courts to cover all civil case types. The JC proposed alternative language and is working with the author to help meet our mutual goals of expanding and improving the delivery of self-help services. Status: Senate. For more information on AB 2129, contact *Tracy Kenny* at tracy.kenny@jud.ca.gov.

Check the status of other bills in which the Judicial Council has taken a position at the following link: http://www.courtinfo.ca.gov/reference/documents/stat_06.pdf. ■

LEGISLATIVE REVIEW

The following is an update of the second year of the 2005-2006 legislative session on selected bills of interest to the courts.

CIVIL

AB 2129 (Spitzer), as amended June 21, 2006. Firearms relinquishment; protective orders.

Requires that any firearms in the possession of a person subject to a protective order issued by a criminal court, or for civil harassment, workplace violence, or elder and dependent adult abuse be relinquished within 24 hours of the order being served on the restrained person. Requires that proof of relinquishment be filed with the court within 48 hours of service.

Status: Senate Third Reading.

JC Position: Sponsor.

AB 2303 (Judiciary Committee), as amended June 22, 2006. Judiciary: omnibus.

The Judicial Council sponsors the following provisions of this omnibus bill: 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 makes permanent existing statutory authority for courts to impose modest monetary sanctions upon jurors who fail to respond to a jury summons.

Status: Senate Judiciary. Set for hearing on August 8, 2006.

JC Position: Sponsor of items above.

AB 2369 (La Suer), as amended June 20, 2006. Civil warrants.

Revises the law enacted last year (AB 1150 (La Suer), Stats. 2005, ch. 474) governing the issuance of civil bench warrants. Among other things, the bill makes the procedures for issuing a civil bench warrant for failure to appear in court pursuant to a subpoena or court order applicable to a failure to appear for a post-judgment asset examination.

Status: Senate Appropriations.

AB 2455 (Nakanishi), as amended June 20, 2006. Small claims court: claims against defendant guarantors.

Provides that the small claims court would have 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.

Status: In Assembly for concurrence with Senate amendments.

JC Position: Support.

AB 2618 (Berg), as amended June 5, 2006. Small claims court: actions.

Conforms various statutes to the recently enacted increase in the jurisdictional limits of small claims court. Specifically, this bill adds cross-references to Code of Civil Procedure section 116.221 (which increased the jurisdiction from \$5,000 to \$7,500 for actions brought by natural persons) in various codes.

Status: Senate Judiciary.

JC Position: Support.

COURT FACILITIES

SB 1163 (Ackerman), as introduced January 10, 2006. California Critical Infrastructure Facilities Bond Acts of 2006 and 2010.

Enacts the California Critical Infrastructure Facilities Bond Acts of 2006 and 2010. The Act authorizes the issuance of bonds in the amount of \$1.227 billion, \$800 million of which is for courts, and the submission of the bond act to the voters at an unspecified election. The Act would also authorize for the purposes of financing capital outlay related to the acquisition, design, construction, or renovation of trial court facilities, the issuance of bonds in the amount of \$1 billion and would provide for submission of the bond act to the voters at the November 7, 2010, general election.

Status: Held in Senate Judiciary; Died.

JC Position: Support.

AB 1831 (Jones), as introduced January 10, 2006. California Critical Infrastructure Facilities Bond Acts of 2006 and 2010.

Enacts the California Critical Infrastructure Facilities Bond Acts of 2006 and 2010. The Act authorizes the issuance of bonds in the amount of \$1.227 billion, \$800 million of which is for courts, and the submission of the bond act to the voters at an unspecified election. The Act would also authorize for the purposes of financing capital outlay related to the acquisition, design,

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JUNE 6, 2006 PRIMARY ELECTION RESULTS:

FORMER STATE LEGISLATORS SEEKING RETURN TO LEGISLATURE OR STATEWIDE OFFICE

FORMER LEGISLATOR	FORMER OFFICE	OFFICE SOUGHT	ELECTION RESULT	INCUMBENT
Charles M. Calderon (D- Whittier)*	Assembly 1982-1990 Senate 1990-1998	AD 58	Won	Asm. Ron Calderon
Steve Clute (D- Indio)	Assembly 1982-1992	AD 80	Won	Asm. Bonnie Garcia
Ellen M. Corbett (D- San Leandro)*	Assembly 1998-2004	SD 10	Won	Sen. Liz Figueroa
Lou Correa (D- Orange)*	Assembly 1998-2004	SD 34	Won	Sen. Joe Dunn
John Dutra (D- Fremont)	Assembly 1998-2004	SD 10	Lost	Sen. Liz Figueroa
George Nakano (D- Torrance)	Assembly 1998-2004	SD 28	Lost	Sen. Debra Bowen
Louis J. Papan (D- Millbrae)	Assembly 1972-1986 Assembly 1996-2002	SD 08	Lost	Sen. Jackie Speier
Darrell Steinberg (D- Sacramento)*	Assembly 1998-2004	SD 06	Won	Sen. Deborah Ortiz
Tony Strickland (R- Thousand Oaks)	Assembly 1998-2004	Controller	Won	Steve Westly
Patricia "Pat" Wiggins (D- Santa Rosa)	Assembly 1998-2004	SD 02	Won	Sen. Wesley Chesbro

* Attorney † Judiciary Committee Member

LEGISLATIVE REVIEW

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construction, or renovation of trial court facilities, the issuance of bonds in the amount of \$1 billion and would provide for submission of the bond act to the voters at the November 7, 2010 general election.

Status: Held in the Assembly; Died.

JC Position: Support.

AB 1995 (Koretz), as amended April 17, 2006. Trial Court Employees: Personnel Files.

Requires a trial court to make available for inspection any personnel file, not just official files, used to determine an employee's qualifications for employment, promotion, or discipline.

Status: Senate Third Reading.

JC Position: Oppose unless amended to clarify that only files that are used to take action on employment,

promotion, or disciplinary matters will be available to the employees.

CRIMINAL PROCEDURE

AB 2159 (Cogdill), as amended April 6, 2006. Bail: residential burglaries.

Includes residential burglary in the list of offenses for which a court is required to hold a bail hearing before deviating from the bail schedule.

Status: Failed passage in Senate Public Safety. Reconsideration granted.

JC Position: No Position.

AB 2174 (Villines), as amended June 24, 2006. Criminal procedure: defendant's appearance.

Provides that in an appropriate case involving a person accused of a misdemeanor driving under the influence offense, the court may order the defendant to be present for

arraignment, at the time of plea, or at sentencing.

Status: Senate Third Reading

AB 2272 (Parra), as amended May 4, 2006. Writ of habeas corpus: notice to prosecuting agency.

Codifies California Rules of Court, rule 4.552(c), by specifying transfer, order and notice procedures that shall be complied with when an application for a writ of habeas corpus challenges a denial of, or suitability for parole and the petition is filed in a superior court other than the court in which the judgment was rendered.

Status: Senate Third Reading.

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LEGISLATIVE REVIEW

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AB 2380 (Dymally), as introduced. Involuntary psychotropic medication.

Requires that at the time of an involuntary commitment or recommitment to a medical facility, the court would determine whether involuntary psychotropic medication should be ordered.

Status: Died in Assembly Public Safety.

AB 2814 (Berg), as introduced. Criminal procedure: continuances.

Adds cases involving elder or dependent abuse to the list of types of cases that constitute good cause for a continuance in criminal proceedings under PC sec. 1050.

Status: Failed passage in Senate Public Safety.

JC Position: Oppose.

AB 2870 (De La Torre), as amended June 20, 2006. Correctional facilities: communicable diseases

Allows a judge, courtroom personnel, or any other individual who is the victim of an assault by a defendant in a court facility to request that the defendant be tested for hepatitis B and C as well as HIV and AIDS.

Status: Senate Appropriations.

JC Position: Support.

AB 2910 (Baca), as introduced. Sentencing: state prison commitments.

Provides that, regardless of whether the person's term of imprisonment is deemed to have been served, any person sentenced to state prison shall be ordered by the sentencing judge to be transported to the Department of Corrections and Rehabilitation for processing.

Status: Died in Assembly Public Safety.

AB 2952 (Niello), as amended May 17, 2006. Criminal procedure: appeals.

Allows prosecutors to appeal from an order by a magistrate dismissing all or part of the prosecution's case regardless of the statutory grounds for the magistrate's order.

Status: Failed passage in Senate Public Safety. Reconsideration granted.

SB 171 (Alquist), as amended July 7, 2005. Interrogation: recording; jury instruction.

Requires that any custodial interrogation of an individual relating to a felony offense be electronically recorded, and codifies a jury instruction to be used in substantially

similar form if a court finds that a defendant was subjected to an unlawful custodial interrogation.

Status: Assembly Appropriations

JC Position: As amended May 27, 2005. Neutral. Amendments allow instruction to be substantially similar to that set forth in bill.

SB 1128 (Alquist), as amended June 22, 2006. Sex Offender Punishment, Control, and Containment Act.

Establishes a comprehensive scheme for the "punishment, control, and containment" of sex offenders.

Status: Assembly Appropriations

JC Position: As amended April 18, 2006. No position. Amendments eliminate provisions prohibiting the court from exercising its discretion to strike charges or allegations of prior offenses in the interests of justice, and change record retention requirements to 75 years rather than for life of the defendant.

SB 1137 (Ducheny), Stats. 2005, ch. 63. Drug treatment.

Modifies Proposition 36, the Substance Abuse and Crime Prevention Act approved by voters in 2000, to, among other things, allow short-term jail sentences for certain nonviolent drug offenders who fail to complete court-ordered treatment programs. *NOTE: Backers of the Proposition 36 obtained a temporary restraining order to halt implementation of SB 1137, contending the bill violates Prop. 36 by making a substantive change without seeking approval from the electorate. The temporary restraining order remains in effect until the September 14 hearing.*

Status: Chaptered by Secretary of State.

SB 1346 (Ortiz), as amended May 26, 2006. Criminal procedure: disposition.

Provides that disposition reports made by the superior court to the Department of Justice that are electronically transmitted to the department by a court operating on the final version of the criminal component of the Administrative Office of the Courts' California Court Case Management System shall also contain the subject's right and left thumbprints. Provides that thumbprint-capture personnel shall be determined by each county's superior court, in consultation with the law enforcement agency providing court services.

Status: Assembly Appropriations. Set for hearing on August 9, 2006.

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LEGISLATIVE REVIEW

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ACA 37 (Parra), as introduced. Victims' rights.

Expands the existing constitutional rights of crime victims to include, among other things, the right to be present at all juvenile and criminal proceedings, and post-sentencing hearings, and the right to have an attorney or the district attorney enforce their rights in court.

Status: Assembly Public Safety.

EMPLOYMENT

AB 1797 (Bermudez), as amended February 14, 2006. Trial courts: limited-term employees.

Prohibits the Superior Court of Los Angeles from employing any limited-term law clerk for more than 180 days. Provides that any limited-term law clerk employed for more than 180 calendar days becomes a regular employee. This bill is identical to AB 176 (Bermúdez) that was passed by the legislature in 2005, but vetoed by the Governor. States legislative intent to prohibit the courts from classifying long-term employees that are performing the regular work of the courts as limited-term employees.

Status: Senate Floor.

JC Position: Oppose.

AB 2305 (Klehs), as introduced February 22, 2006. Courts: court reporting.

Shifts court reporter transcript fees from a word or folio rate to a page rate and creates a standard format for each page. Increases the transcript rate to \$3.57 per page and \$.63 per copied page. Adds an additional 18 percent per page for civil transcripts. Expands the 50 percent additional charge for daily copy service to criminal transcripts. Prohibits any court, party, or person who has purchased the transcript from loaning it to another party or person.

Status: Died in Assembly Judiciary.

JC Position: Oppose unless funded and amended to 1) exempt courts from rate differentials; 2) address access to justice issues; 3) address concerns about the standard page format proposed in the bill.

FAMILY LAW

AB 2480 (Evans), as amended May 26, 2006. Dependent children: counsel.

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. To assist the court in making that determination, AB 2480 would require the child's trial counsel or Child Abuse Prevention and Treatment Act guardian ad litem (CAPTA GAL) to make a recommendation to the court that counsel be appointed if the counsel or GAL finds that the child's best interests on appeal cannot be protected without the appointment of separate counsel, and sets forth their reasons. These requirements would be implemented through a rule of court to be adopted by July 1, 2007. In addition, the bill requires the Judicial Council to report to the Legislature regarding caseload standards for attorneys representing children in dependency proceedings at the trial court level, as well as the actions it takes to address the representation of dependent children in appellate proceedings, including any recommendations made by the Judicial Council's Blue Ribbon Commission on Children in Foster Care.

Status: Senate Judiciary.

JC position: Support if funded.

JUDICIAL OFFICERS

SB 506 (Poochigian), as amended June 15, 2006. Voter records: confidentiality.

Requires a local elections official to extend existing voter registration confidentiality programs for "Victims of Domestic Violence and Stalking" and "Reproductive Health Care Services Providers, Employees, Volunteers, and Patients" to include specified public safety officials, upon application, if the local elections official is authorized to do so by his or her county board of supervisors. The application of a public safety official would be a public record. Requires each candidate for judicial office to file a declaration of intention to become a candidate and to pay the appropriate filing fee for filing the declaration.

Notes: Product of 2004 Final Report of the Public Safety Officials' Home Protection Act Advisory Task Force.

Sponsor: Author.

Status: Assembly Appropriations. Set for hearing on August 9, 2006.

JC Position: Support.

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LEGISLATIVE REVIEW

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SCA 16 (Runner), as amended September 1, 2005.

Judicial districts: superior court judges.

Provides that the superior court of any county with a population of more than 5,000,000 shall be divided into judicial districts established by three special masters appointed by the Supreme Court.

Sponsor: Author.

Status: Senate Judiciary. Set for hearing on August 8, 2006.

JC Position: Oppose.

JURY

AB 1993 (Nakanishi), as introduced. Jurors: exemptions.

Exempts a person who holds an active license as a registered nurse from jury service.

Status: Died in Assembly Judiciary.

JC position: Oppose.

SB 1281 (Romero), as amended April 18, 2006. Public contracts: jury service.

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.

Status: Assembly Appropriations.

JC Position: Support.

PROBATE

AB 1363 (Jones), as amended June 26, 2006. Omnibus Conservatorship and Guardianship Reform Act of 2006.

Among other things, requires annual reviews of conservatorships, but allows the court to set reviews on 2 year cycles if the court determines that the conservator is acting in the best interest of the conservatee. Also requires additional court investigations, including an investigation in cases where a temporary conservatorship is being sought, as well as at 6 months after establishment of the conservatorship. In addition, requires: the Judicial Council to adopt rules of court relating to conservatorships and guardianships and to develop and make available, free of charge, educational programs for non-licensed conservators and guardians; courts to provide free assistance to non-licensed conservators and guardians; the Judicial Council to establish qualifications and educational classes for probate court attorneys, investigators, examiners and court-appointed counsel, as

well as educational classes for judges regularly assigned to hear probate matters; and the Judicial Council to report to the Legislature the findings of a study measuring court effectiveness in conservatorship cases.

Status: Senate Appropriations.

JC Position: Support if funded.

SB 1116 (Scott), as amended June 27, 2006. Conservatorships.

Among other things, creates a presumption that the least restrictive appropriate setting for the conservatee at the commencement of the conservatorship is his or her home. Requires conservators to make specified showings in connection with proposed moves of conservatees. Places new limits on the conservator's power to sell the conservatee's residence.

Status: Assembly Appropriations. Set for hearing on August 9, 2006.

SB 1211 (Poochigian), as amended March 28, 2006. Estates and trusts: creditor's claims.

Makes various changes to the provisions governing creditors' claims against decedents' estates and trusts, primarily to resolve inconsistencies between the two types of claims procedures. Among other things, the bill revises the procedure for giving notice to a creditor of a trust, lengthens the period of time that a creditor of a trust may file a claim, and revises provisions pursuant to which a creditor of a trust may file, and a court may allow, a late claim.

Status: Died in Senate Judiciary.

JC Position: Support.

SB 1550 (Figueroa), as amended June 22, 2006. Professional Fiduciaries Act.

Among other things, the bill creates the Board of Professional Fiduciaries in the Department of Consumer Affairs, and requires the board to license and regulate professional guardians, conservators, and other fiduciaries. The bill also prohibits a court from appointing a person as a professional fiduciary unless he or she is certified by the board. In addition, the bill deletes the local and statewide registry system, effective January 1, 2008, when the new licensure scheme takes effect.

Status: Assembly Appropriations

JC Position: Support.

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JUNE 6, 2006 PRIMARY ELECTION RESULTS

LEGISLATOR	OFFICE HELD	TERM LIMIT?	RUNNING FOR	Election Result	INCUMBENT
Asm. Joe Baca, Jr. (D- Rialto)	AD 62	No; 2010	SD 32	Lost	Sen. Nell Soto (termed out; running for AD 61)
Asm. Rudy Bermúdez (D- Norwalk)	AD 56	No; 2008	SD 30	Lost	Sen. Martha Escutia (termed out)
Asm. Ronald Calderon (D- Montebello)	AD 58	No; 2008	SD 30	Won	Sen. Martha Escutia (termed out)
Asm. Judy Chu (D- Monterey Park)	AD 49	Yes	Board of Equalization (BOE) 4	Won	John Chiang (running for Controller)
Asm. Dave Cogdill (R- Modesto)	AD 25	Yes	SD 14	Won	Sen. Chuck Poochigian (termed out)
Asm. Lynn Daucher (R- Brea)	AD 72	Yes	SD 34	Won	Sen. Joseph Dunn (termed out; running for Controller)
Asm. Tom Harman (R- Huntington Beach)*†	AD 67	Yes	SD 35	Won	Vacancy (John Campbell elected to Congress)
Asm. Ray Haynes (R- Murrieta)*†	AD 66	Yes	BOE 3	Lost	Claude Parrish (running for Treasurer)
Asm. Jerome Horton (D- Inglewood)	AD 51	Yes	BOE 4	Lost	John Chiang (running for Controller)
Asm. Johan Klehs (D- San Leandro)	AD 18	Yes	SD 10	Lost	Sen. Liz Figueroa (termed out; running for Lt. Gov.)
Asm. Kevin McCarthy (R- Bakersfield)	AD 32	No; 2008	CD 22	Won	William "Bill" Thomas
Asm. Cindy Montañez (D- San Fernando)	AD 39	No; 2008	SD 20	Lost	Sen. Richard Alarcón (termed out; running for AD 39)
Asm. Joe Nation (D- San Rafael)	AD 06	Yes	CD 06	Lost	Lynn Woolsey (running for re-election)
Asm. Gloria Negrete McLeod (D- Chino)	AD 61	Yes	SD 32	Won	Sen. Nell Soto (termed out; running for AD 61)
Asm. Jenny Oropeza (D- Long Beach)	AD 55	Yes	SD 28	Won	Sen. Debra Bowen (termed out; running for Secy of State)
Asm. Keith Richman (R- Northridge)	AD 38	Yes	Treasurer	Lost	Phil Angelides (running for Governor)
Asm. Mark Ridley-Thomas (D- Los Angeles)	AD 48	No; 2008	SD 26	Won	Sen. Kevin Murray (termed out)
Asm. Tom Umberg (D- Santa Ana)	AD 69	Yes	SD 34	Lost	Sen. Joe Dunn (termed out)
Asm. Juan Vargas (D- San Diego)	AD 79	Yes	CD 51	Lost	Bob Filner (running for re-election)
Asm. Mark Wyland (R- Del Mar)	AD 74	Yes	SD 38	Won	Sen. Bill Morrow (termed out; lost 04/11/06 special primary bid for Congressional District 53)
Asm. Leland Yee (D- San Francisco)	AD 12	No; 2008	SD 08	Won	Sen. Jackie Speier (termed out)

LEGISLATOR	OFFICE HELD	TERM LIMIT?	RUNNING FOR	ELECTION RESULT	INCUMBENT
Sen. Richard Alarcón (D- Sun Valley)	SD 20	Yes	AD 39	Won	Cindy Montañez (running for SD 20)
Sen. Debra Bowen (D- Marina del Rey)*	SD 28	Yes	Secretary of State	Won	Bruce McPherson (seeking reelection)
Sen. Joseph Dunn (D- Santa Ana)*†	SD 34	Yes	Controller	Lost	Steve Westly (running for Governor)
Sen. Liz Figueroa (D- Sunol)	SD 10	Yes	Lieutenant Governor	Lost	Cruz Bustamante (running for Ins. Comm.)
Sen. Abel Maldonado (R- Santa Maria)	SD 15	No; 2012	Controller	Lost	Steve Westly (running for Governor)
Sen. Tom McClintock (R- Thousand Oaks)†	SD 19	No; 2008	Lieutenant Governor	Won	Cruz Bustamante (running for Ins. Comm.)
Sen. Bill Morrow (R- Oceanside)*	SD 38	Yes	Congressional District 50	Lost	Vacancy (resignation of Randy Cunningham)
Sen. Deborah Ortiz (D- Sacramento)	SD 06	Yes	Secretary of State	Lost	Bruce McPherson (seeking re-election)
Sen. Charles Poochigian (R- Fresno)*	SD 14	Yes	Attorney General	Won	Bill Lockyer (running for Treasurer)
Sen. Nell Soto (D- Pomona)	SD 32	Yes	AD 61	Won	Gloria Negrete McLeod (termed out)
Sen. Jackie Speier (D- Hillsborough)*	SD 08	Yes	Lieutenant Governor	Lost	Cruz Bustamante (running for Ins. Comm.)

* Attorney † Judiciary Committee Member

BUDGET

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Modernization Fund, and a portion of the Trial Court Improvement Fund that supports court operations.

Trial Court Security Baseline Funding: The budget includes an increase of \$18.661 million for court security to create 97 new entrance screening stations and to establish a five year equipment replacement cycle for new and existing screening stations. This includes \$13.465 million for sheriff and marshal staff for the new screening stations, \$2.910 million in one-time funding to purchase entrance screening equipment for the new stations, and \$2.286 million in ongoing funding for the establishment of five year replacement cycle for the screening equipment.

Court-Appointed Counsel: Budget language authorized, and the Judicial Council to action to, provide for an increase of \$10 per hour in compensation for appointed counsel representing defendants on appeal in cases before the Court of Appeal or Supreme Court.

New Fifth Appellate District Courthouse: A total of \$1.405 million was approved to fund ongoing maintenance costs and one-time relocation costs to the new court facility in Fresno.

New Fourth Appellate District Courthouse (Division 3): A total of \$6.828 million was approved to augment the working

drawings and construction project phases for the new court facility in Santa Ana.

New Antioch Area Courthouse: A total of \$2.232 million was approved to fund the acquisition and preliminary plans phases of this new facility in Contra Costa County..

Plumas and Sierra Counties: A total of \$706,000 was approved to fund the acquisition and preliminary plans project phases for the New Portola/Loyalton Courthouse.

Mono County: A total of \$2.055 million was approved to fund the acquisition and preliminary plans project phases for the New Mammoth Lakes Courthouse.

Fresno County: A total of \$61.327 million was approved to fund the preliminary plans, working drawings, and construction project phases for the Fresno Sisk Federal Courthouse Renovation.

As part of the enactment of the budget, the Governor exercised his line-item veto authority to reduce funding in various areas. This included a reduction of judicial branch funding previously approved by the Legislature in the amount of \$10 million, which was specifically appropriated to expand the use of court interpreters in specified civil proceedings. ■

INLAWS

(Continued from page 1)

the opportunity to share implementation strategies with their counterparts in other courts and work with subject matter experts facilitating the event.

Registration will begin in October, after the Governor's deadline for signing bills (September 30, 2006). Since the workshop content will depend on the Governor's actions, descriptions of the subject matter content will be available after the signing deadline. If you have any questions, please contact Christina Fonseca with the Office of Governmental Affairs by email at christina.fonseca@jud.ca.gov or by telephone at (916) 323-3121. ■

Juvenile Court Issues

BEYOND THE BENCH XVII

Statewide Conference

December 13-15, 2006

Monterey Convention Center

Registration is coming in the fall!

LEGISLATIVE REVIEW

(Continued from page 7)

SB 1716 (Bowen), as amended June 27, 2006. Conservatorships.

Allows the court, on its own motion or upon request, to order a review of the conservatorship at any time. Requires the court investigator's evaluation to include the appropriateness of the conservatee's placement, the conservatee's quality of care, and the conservatee's financial condition. Prohibits, except as specified, ex parte communications between any party or attorney for the party and the court concerning a subject raised in pleadings filed pursuant to the Probate Code, and in proceedings to establish a conservatorship for persons who are gravely disabled as a result of a mental disorder or chronic alcoholism and would require the Judicial Council to adopt a rule of court to implement this provision by January 1, 2008.

Status: Assembly Appropriations. Set for hearing on August 9, 2006.

JC Position: Support, if funded.

TRAFFIC

AB 1832 (Bermudez), as amended June 22, 2006. Probation: alcohol-related offenses: conditions.

This bill would make legislative findings and declarations concerning the usefulness of continuous remote alcohol monitoring systems. This bill would authorize a court to require a person to be placed on a continuous remote alcohol monitoring program if the court determines alcohol was the primary reason for the offense committed by the person and the court orders the person to abstain from alcohol as a condition of probation.

Status: Senate Public Safety.

AB 2527 (Baca), as introduced. Alcoholic beverages: underage drinking: penalties.

Expands existing provisions prohibiting a person under 21 years of age from attempting to purchase any alcoholic beverage from an Alcoholic Beverage Control licensee to include possession and consumption. Increases maximum fine from \$100 for a first offense to \$250, and from \$250 for a second or subsequent violation to \$500. In addition to these fines, the bill requires the court to suspend or restrict the person's driver's license for not less than six months nor more than one year.

Status: Died in Assembly Transportation.

AB 2558 (Benoit), as amended March 27, 2006. Vehicles: license suspension and revocation: punishment.

Provides that a person who drives with a license suspended or revoked for a DUI four or more times within a ten-year period is punishable by imprisonment in either state prison, or in county jail for not less than 180 days but not more than one year, and a fine of not less than \$500, but not more than \$2,000. Requires the revocation of the person's driving privilege, and the designation of that person as a habitual traffic offender for three years, subsequent to the conviction. Prohibits the court from striking a finding that brings a person within these provisions.

Status: Died in Assembly Public Safety.

OTHER

AB 2301 (Assembly Committee on Judiciary), as amended June 7, 2006. State Bar: legal services to the poor.

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. Requires the Bar Board of Governors, in consultation with the Chief Justice, to appoint a task force to propose a method for collection and distribution of the funds.

Status: Senate Judiciary.

JC Position: Support.

AB 2302 (Jones), as introduced (Assembly Committee on Judiciary), as amended June 21, 2006. Evidence: court interpreters.

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. Requires that unless a party has notified the court that he or she has made arrangements for a private interpreter, the court shall provide the interpreter. Specifies the priority for use of funding and interpreters provided for civil matters.

Status: Senate Appropriations.

JC Position: Support if amended and funded. ■

ATTENTION BENCH AND BAR LEADERS!

You are cordially invited to attend a meeting of the

BENCH-BAR COALITION

during the Annual Meeting of the State Bar of California

Friday, October 6

8:00 a.m. — 10:30 a.m.

Monterey Marriott Hotel

Ferrante Bayview Room

350 Calle Principal

Monterey, California



ON THE AGENDA...

- Update on Judicial Branch Activities
 - 2006 Legislative Report
 - Planning for 2006-07 BBC Activities
 - Special Recognition
-

For an event flyer and registration form, please contact Christina Fonseca
in the Office of Governmental Affairs at:

christina.fonseca@jud.ca.gov or call (916) 323-3121



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Archives

Looking for a past issue of *The Capitol Connection*? Find it online at www.courtinfo.ca.gov/courtadmin/aoc/capconn.htm.

LEGISLATIVE VETERAN JOINS THE AOC

Office of Governmental Affairs Welcomes New Fiscal Analyst

Henry Sepulveda joined the Administrative Office of the Courts (AOC) Office of Governmental Affairs in July 2006 as a Senior Governmental Affairs Fiscal Analyst.

"I'm very pleased for the opportunity to join the staff of the AOC-OGA. Around the Capitol, the AOC enjoys a long-standing reputation for professionalism and integrity, and I am honored to be associated with such an organization," Sepulveda said. "The professionalism,

hospitality and efficiency of the OGA staff were very evident to me when I arrived last month. Becoming a part of the judicial branch completes a career trifecta for me as I have now worked for all three branches of California state government. Not bad for a Texas Longhorn who wandered out West. I'm looking forward to working with my new colleagues throughout the AOC. "

Prior to joining the AOC, Henry was the Director of Legislation and Budget with the California Seismic Safety Commission where he was responsible for advising the commissioners on the legislative program and policies, drafting commission-sponsored legislation, advocating for the commission, and overseeing development and advocacy of commission's annual budget.

Prior to the Seismic Safety Commission, Henry was an assistant manager in the Public Finance Division of the Secretary for the State Treasurer's Office where he was responsible for managing the \$2 billion Commercial Paper Program, state bond financing programs, negotiations with commercial underwriting firms and bond counsel, and the Treasurer's Target Business Enterprise Program.

Henry has a bachelor's degree in political science, a master's degree in public policy from the Lyndon B. Johnson School of Public Affairs, and a juris doctorate from the University of Texas. ■



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News from the AOC

In addition to *The Capitol Connection*, the Administrative Office of the Courts publishes several publications reporting on various aspects of court business. Visit these online on the California Courts Web site at www.courtinfo.ca.gov

In an ongoing effort to provide information to the juvenile and family court community, The Center for Families, Children & the Courts publishes an annual academic journal that covers contemporary and important issues regarding children, families, and the interplay between these parties and the courts. See www.courtinfo.ca.gov/programs/cfcc/resources/publications/

