



CIVIL JUSTICE ASSOCIATION
OF
CALIFORNIA

January 10, 2012

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- U.S. Chamber Institute for Legal Reform

TO: Members of the California Assembly

FROM: Katherine Pettibone, Legislative Director
Kim Stone, President

RE: AB 1208 (Calderon) As Amended May 18, 2011
FLOOR ALERT

CJAC POSITION: OPPOSE

The Civil Justice Association of California must respectfully oppose Assembly Bill 1208 (Calderon), as amended on May 18, 2011.

Assembly Bill 1208, as amended on May 18, 2011, appears to remove or restrict the Judicial Council's responsibility for allocating funding that ensures statewide court functions, promotes statewide policies, and promotes the implementation of efficiencies or cost-saving measures (p. 8, lines 27-33 and p. 15, lines 5-30). It also limits the Judicial Council's ability to respond to changing conditions and ensure equal access to trial courts for all the public (p. 7, lines 20-27). The Judicial Council has overseen the unification of the courts, which was accompanied by the development and provision of, among other things, uniform judicial qualifications, court rules, filing fees, salaries, and court construction. Statewide programs, like the complex civil case management system, or the recently enacted expedited jury trials, are valuable measures that promote important efficiencies to the benefit of all litigants. Some were skeptical of these initiatives. Thus, it is unclear without the Judicial Council leadership whether these developments would have been successful.

Over the years, CJAC has been a partner and a proponent for measures that make court procedures more streamlined so that the administration of justice in civil litigation is not dependent on the county where one happened to be sued. We believe that provisions that hinder or remove the Judicial Council's ability to uniformly and effectively administer the judicial branch should not be implemented, lest we return to days of different programs and treatment in each of the 58 Superior Courts. Our members need and deserve uniformity, consistency, and predictability in our state courts. This bill threatens those all-important characteristics.

Therefore, we urge your "no" vote.