



Judicial Council of California

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April 16, 2025

Hon. Ash Kalra
Chair, Assembly Judiciary Committee
1020 N Street, Room 104
Sacramento, California 95814

Subject: Assembly Bill 1375 (Hoover), as introduced—Oppose

Dear Assembly Member Kalra:

The Judicial Council regrettably opposes Assembly Bill 1375 which adds a new section to the Family Code to require a court, before making any order granting custody of a child, to make independent findings relating to whether a parent or the child are victims of human trafficking or whether a parent has been convicted of or caused the child or other parent to be a victim of, human trafficking. The council is opposed because AB 1375 would require courts to make these findings in every child custody case regardless of whether any issue about human trafficking had been raised which would be operationally impracticable and cause significant delays.

Family Code section 3044 already provides that if the court finds that a party seeking custody has perpetrated domestic violence in the last five years there is a presumption against awarding sole or joint custody to that party and includes a requirement for the court to make specific findings, making AB 1375 duplicative and unnecessary in most cases. It is also worth noting that many custody orders are contained in stipulated agreements submitted to the court for review and approval without any hearing. If the court has no indication in the record of the proceedings that one of the parties might have perpetrated human trafficking or been a victim of trafficking the court has no information on which to make the required finding and thus would have to put in place a hearing or some alternative mechanism for obtaining this information which would slow down the work of the family courts to address an issue that is infrequently present and can be addressed via alternative means.

Family courts weigh all relevant evidence brought before them when they are evaluating child custody orders, and credible evidence that a parent in a custody dispute has been convicted of human trafficking offenses or perpetrated them against the other parent or the child would always be considered by the court when determining the best interests of a child.

Family courts see high volumes of cases from those who need that forum to obtain a marital dissolution, establish parentage for a child, seek necessary support, and pursue the distribution of community assets. Adding this unworkable finding in all child custody matters will significantly delay these proceedings and place the court in the inappropriate position of independently investigating criminal conduct in a family law proceeding without providing meaningful protection for victims of human trafficking.

For these reasons the Judicial Council is opposed to AB 1375.

Should you have any questions or require additional information, please contact Tracy Kenny at 916-323-3121.

Sincerely,



Cory T. Jasperson
Director
Governmental Affairs

CTJ/TK/lmm

cc: Members, Assembly Judiciary Committee
Hon. Josh Hoover, Member of the Assembly, 7th District
Ms. Manuela Boucher, Counsel, Assembly Judiciary Committee
Mr. Daryl Thomas, Consultant, Assembly Republican Office of Policy
Mr. Jith Meganathan, Deputy Legislative Secretary, Office of the Governor
Ms. Michelle Curran, Administrative Director, Judicial Council of California