



## Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS

770 L Street, Suite 700 • Sacramento, California 95814-3393  
Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

RONALD M. GEORGE  
*Chief Justice of California*  
*Chair of the Judicial Council*

WILLIAM C. VICKREY  
*Administrative Director of the Courts*

RONALD G. OVERHOLT  
*Chief Deputy Director*

CURTIS L. CHILD  
*Director, Office of Governmental Affairs*

April 8, 2009

Hon. Jeff Miller  
Member of the Assembly  
State Capitol, Room 3147  
Sacramento, California 95814

Subject: AB 250 (Miller), as introduced - Support

Dear Assembly Member Miller:

The Judicial Council supports AB 250, which requires a defendant's withdrawal of a waiver of his or her speedy trial time limits to be taken in open court.

The council supports AB 250 because it will improve court efficiency and ensure all parties have actual notice of a change in the status of a criminal case. When parties are unaware of a change of this significance, court efficiency suffers. For example, if a prosecutor becomes aware of the withdrawal of the time waiver late in the process, he or she is likely to seek dismissal and then re-file the case in order to avoid violation of the defendant's speedy trial rights. This results in duplicative and avoidable arraignments and preliminary hearings.

In addition, requiring withdrawal of the time waiver in open court would also eliminate the ability of a party to manipulate the system. For example, a party may set several cases for hearing on one date and then withdraw the time waivers. The court then must either find available courtrooms, judges, and juries, or dismiss the cases.



Hon. Jeff Miller  
April 8, 2009  
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By requiring personal appearances to withdraw the waiver, the court can better manage its calendar. This will reduce unnecessary duplicative hearings and potentially inappropriate dismissals.

For these reasons, the Judicial Council supports AB 250.

Sincerely,

A handwritten signature in black ink, appearing to read "June Clark", with a long, sweeping horizontal line extending to the right.

June Clark  
Senior Attorney

JC/yt

cc: Mr. Cory Salzillo, Director of Legislation, California District Attorneys Association  
Mr. Michael Prosio, Legislative Affairs Secretary, Office of the Governor  
Ms. Kirsten Kolpitke, Deputy Director of Legislation, Governor's Office of Planning and Research





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June 8, 2009

Hon. Mark Leno, Chair  
Senate Public Safety Committee  
State Capitol, Room 2196  
Sacramento, California 95814

Subject: AB 250 (Miller), as amended May 7, 2009 – Support  
Hearing: Senate Public Safety Committee – June 16, 2009

Dear Senator Leno:

The Judicial Council supports AB 250, which requires a defendant's withdrawal of a waiver of his or her speedy trial time limits to be taken in open court.

The council supports AB 250 because it will improve court efficiency and ensure all parties have actual notice of a change in the status of a criminal case. When parties are unaware of a change of this significance, court efficiency suffers. For example, if a prosecutor becomes aware of the withdrawal of the time waiver late in the process, he or she is likely to seek dismissal and then re-file the case in order to avoid violation of the defendant's speedy trial rights. This results in duplicative and avoidable arraignments and preliminary hearings.

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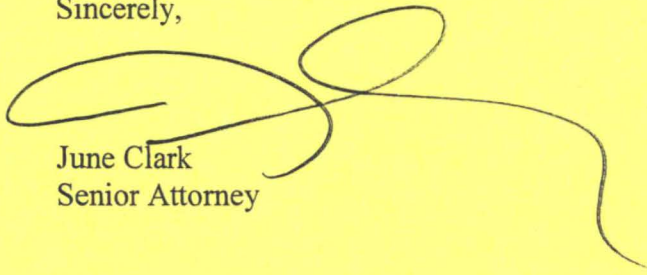


Hon. Mark Leno  
June 8, 2009  
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By requiring personal appearances to withdraw the waiver, the court can better manage its calendar and ensure that withdrawn waivers do not slip through the cracks. This will reduce unnecessary duplicative hearings and potentially inappropriate dismissals.

For these reasons, the Judicial Council supports AB 250.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a long, sweeping horizontal line that ends in a small upward flick.

June Clark  
Senior Attorney

JC/yt

cc: Members, Senate Public Safety Committee

Hon. Jeff Miller, Member of the Assembly

Mr. Cory Salzillo, Director of Legislation, California District Attorneys Association

Ms. Mary Kennedy, Counsel, Senate Public Safety Committee

Mr. Michael Prosio, Legislative Affairs Secretary, Office of the Governor

Ms. Kirsten Kolpitzke, Deputy Director of Legislation, Governor's Office of Planning and Research

Mr. Eric Csizmar, Consultant, Senate Republican Office of Policy



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RONALD G. OVERHOLT  
*Chief Deputy Director*

CURTIS L. CHILD  
*Director, Office of Governmental Affairs*

April 29, 2009

Hon. Jose Solorio, Chair  
Assembly Public Safety Committee  
State Capitol, Room 2196  
Sacramento, California 95814

Subject: AB 250 (Miller), as introduced – Support  
Hearing: Assembly Public Safety Committee – May 12, 2009

Dear Assembly Member Solorio:

The Judicial Council supports AB 250, which requires a defendant's withdrawal of a waiver of his or her speedy trial time limits to be taken in open court.

The council supports AB 250 because it will improve court efficiency and ensure all parties have actual notice of a change in the status of a criminal case. When parties are unaware of a change of this significance, court efficiency suffers. For example, if a prosecutor becomes aware of the withdrawal of the time waiver late in the process, he or she is likely to seek dismissal and then re-file the case in order to avoid violation of the defendant's speedy trial rights. This results in duplicative and avoidable arraignments and preliminary hearings.

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Hon. Jose Solorio

April 29, 2009

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By requiring personal appearances to withdraw the waiver, the court can better manage its calendar and ensure that withdrawn waivers do not slip through the cracks. This will reduce unnecessary duplicative hearings and potentially inappropriate dismissals.

For these reasons, the Judicial Council supports AB 250.

Sincerely,

June Clark  
Senior Attorney

JC/yt

cc: Members, Assembly Public Safety Committee

Hon. Jeff Miller, Member of the Assembly

Mr. Cory Salzillo, Director of Legislation, California District Attorneys Association

Mr. Gregory Pagan, Chief Counsel, Assembly Public Safety Committee

Mr. Michael Prosio, Legislative Affairs Secretary, Office of the Governor

Ms. Kirsten Kolpitcke, Deputy Director of Legislation, Governor's Office of Planning and Research

Mr. Gary Olson, Consultant, Assembly Republican Office of Policy