



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS

770 L Street, Suite 1240 • Sacramento, California 95814-3368

Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

JODY PATEL
Interim Administrative Director of the Courts

CURT SODERLUND
Interim Chief Deputy Director

CURTIS L. CHILD
Director, Office of Governmental Affairs

June 14, 2012

Hon. Noreen Evans, Chair
Senate Judiciary Committee
State Capitol, Room 4032
Sacramento, California 95814

Subject: AB 2274 (Lara), as amended May 15, 2012 - Support
Hearing: Senate Judiciary Committee – June 19, 2012

Dear Senator Evans:

The Judicial Council supports AB 2274, which extends the vexatious litigant statute to pro per parties who had legal representation at the time of filing their lawsuits. Among other things, current law in this area authorizes a defendant to move the court for an order requiring a plaintiff who has previously been determined to be a vexatious litigant to furnish security. AB 2274 would allow a defendant, in the same motion, to seek an order dismissing the litigation if the vexatious litigant was represented by counsel at the time of filing such litigation and became *in propria persona* after the withdrawal of his or her attorney. The court would be required to order the litigation dismissed, if, after hearing evidence on the defendant's motion, the court determines that the litigation has no merit and has been filed for the purposes of harassment or delay.

Hon. Noreen Evans

June 14, 2012

Page 2

The Judicial Council supports AB 2276, which we believe provides a modest, but important enhancement to the law governing vexatious litigants. Enactment of AB 2276 should assist in weeding out meritless lawsuits and help conserve judicial resources, which is especially important during the current budget crisis.

For these reasons, the Judicial Council supports AB 2274.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Pone", with a stylized, cursive script.

Daniel Pone
Senior Attorney

DP/lp

cc: Members, Senate Judiciary Committee

Hon. Ricardo Lara, Member of the Assembly

Ms. Katherine Pettibone, Legislative Director, Civil Justice Association of California

Ms. Saskia Kim, Chief Counsel, Senate Judiciary Committee

Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor

Mr. Mike Petersen, Consultant, Senate Republican Office of Policy



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS

770 L Street, Suite 1240 • Sacramento, California 95814-3368

Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

JODY PATEL
Interim Administrative Director of the Courts

CURT SODERLUND
Interim Chief Deputy Director

CURTIS L. CHILD
Director, Office of Governmental Affairs

August 21, 2012

Hon. Edmund G. Brown, Jr.
Governor of California
State Capitol, First Floor
Sacramento, California 95814

Subject: AB 2274 (Lara) – Request for Signature

Dear Governor Brown:

The Judicial Council supports AB 2274, which extends the vexatious litigant statute to pro per parties who had legal representation at the time of filing their lawsuits. Among other things, current law in this area authorizes a defendant to move the court for an order requiring a plaintiff who has previously been determined to be a vexatious litigant to furnish security. AB 2274 would allow a defendant, in the same motion, to seek an order dismissing the litigation if the vexatious litigant was represented by counsel at the time of filing such litigation and became *in propria persona* after the withdrawal of his or her attorney. The court would be required to order the litigation dismissed, if, after hearing evidence on the defendant's motion, the court determines that the litigation has no merit and has been filed for the purposes of harassment or delay.

The Judicial Council supports AB 2274, which we believe provides a modest, but important enhancement to the law governing vexatious litigants. Enactment of AB 2274 should assist in weeding out meritless lawsuits and help conserve judicial resources, which is especially important during the current budget crisis.

For these reasons, the Judicial Council requests your signature on AB 2274.

Sincerely,

Daniel Pone
Senior Attorney

DP/lp

cc: Hon. Ricardo Lara, Member of the Assembly
Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor
Ms. Katherine Pettibone, Legislative Director, Civil Justice Association of California