



JUDICIAL COUNCIL OF CALIFORNIA

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

MARTIN HOSHINO
Administrative Director

CORY T. JASPERSON
Director, Governmental Affairs

February 9, 2015

Hon. Jay Obernolte
Member of the Assembly
State Capitol, Room 4116
Sacramento, California 95814

Subject: AB 249 (Obernolte), as introduced—Support/Sponsor

Dear Assembly Member Obernolte:

The Judicial Council supports and is sponsoring AB 249. The Judicial Council is pleased to sponsor this bill, which prohibits appeals in felony cases based solely on the grounds of an error in the imposition or calculation of fines, penalty assessments, surcharges, fees, or costs unless the defendant first presents the claim in the trial court at the time of sentencing, or, if the error is not discovered until after sentencing, the defendant first makes a motion for correction in the trial court.

AB 249 will reduce the burdens associated with formal appeals and resentencing proceedings stemming from a common sentencing error. By requiring that this sentencing error be first raised in the trial court, which has ready access to the court records and other information necessary to review and resolve such issues, this proposal would promote judicial economies and efficiencies by avoiding the costs and burdens associated with a formal appeal.

For these reasons, the Judicial Council is sponsoring and supporting AB 249.

Sincerely,

Laura Speed
Assistant Director

LES/kb

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



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GOVERNMENTAL AFFAIRS

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March 12, 2015

Hon. Bill Quirk, Chair
Assembly Public Safety Committee
State Capitol, Room 2175
Sacramento, California 95814

Subject: AB 249 (Obernolte), as introduced – Support/Sponsor
Hearing: Assembly Public Safety Committee – March 17, 2015

Dear Assembly Member Quirk:

The Judicial Council supports and is sponsoring AB 249. The Judicial Council is pleased to sponsor this bill, which prohibits appeals in felony cases based solely on the grounds of an error in the imposition or calculation of fines, penalty assessments, surcharges, fees, or costs unless the defendant first presents the claim in the trial court at the time of sentencing, or, if the error is not discovered until after sentencing, the defendant first makes a motion for correction in the trial court.

AB 249 will reduce the burdens associated with formal appeals and resentencing proceedings stemming from a common sentencing error. By requiring that this sentencing error be first raised in the trial court, which has ready access to the court records and other information necessary to review and resolve such issues, this bill would promote judicial economies and efficiencies by avoiding the costs and burdens associated with a formal appeal.

Hon. Bill Quirk

March 12, 2015

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For these reasons, the Judicial Council is sponsoring and supporting AB 249.

Sincerely,

A handwritten signature in black ink that reads "Sharon Reilly". The signature is fluid and cursive, with "Sharon" on the left and "Reilly" on the right, connected by a flourish.

Sharon Reilly

Senior Attorney

SR/yc-s

cc: Members, Assembly Public Safety Committee

Hon. Jay Obernolte, Member of the Assembly

Ms. Sandy Uribe, Counsel, Assembly Public Safety Committee

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



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Director, Governmental Affairs

June 2, 2015

Hon. Loni Hancock, Chair
Senate Public Safety Committee
State Capitol, Room 2082
Sacramento, California 95814

Subject: AB 249 (Obernolte), as amended April 13, 2015 – Support/Sponsor
Hearing: Senate Public Safety Committee – June 9, 2015

Dear Senator Hancock:

The Judicial Council supports and is sponsoring AB 249. The Judicial Council is pleased to sponsor this bill, which prohibits appeals in felony cases based solely on the grounds of an error in the imposition or calculation of fines, penalty assessments, surcharges, fees, or costs unless the defendant first presents the claim in the trial court at the time of sentencing, or, if the error is not discovered until after sentencing, the defendant first makes a motion for correction in the trial court. AB 249 also provides that the trial court retains jurisdiction after a notice of appeal has been filed to correct any error in the imposition or calculation of fines, penalty assessments, surcharges, fees, or costs upon the defendant's request for correction.

AB 249 brings efficiencies to the courts by reducing the burdens associated with formal appeals and resentencing proceedings stemming from a common sentencing error. By requiring that this sentencing error be first raised in the trial court, which has ready access to the court records and other information necessary to review and resolve such issues, this bill would promote judicial economies and efficiencies by avoiding the costs and burdens associated with a formal appeal.

For these reasons, the Judicial Council is sponsoring and supporting AB 249.

Hon. Loni Hancock

June 2, 2015

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Sincerely,

A handwritten signature in blue ink that reads "Sharon Reilly". The signature is fluid and cursive, with "Sharon" on the left and "Reilly" on the right, connected by a flourish.

Sharon Reilly

Senior Attorney

SR/yc-s

cc: Members, Senate Public Safety Committee

Hon. Jay Obernolte, Member of the Assembly

Ms. Mary Kennedy, Counsel, Senate Public Safety Committee

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

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

Mr. Martin Hoshino, Administrative Director, Judicial Council of California



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Director, Governmental Affairs

July 7, 2015

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

Subject: AB 249 (Obernolte) – Request for Signature

Dear Governor Brown:

The Judicial Council is pleased to support and sponsor AB 249, which prohibits appeals in felony cases based solely on the grounds of an error in the imposition or calculation of fines, penalty assessments, surcharges, fees, or costs unless the defendant first presents the claim in the trial court at the time of sentencing, or, if the error is not discovered until after sentencing, the defendant first makes a motion for correction in the trial court. AB 249 also provides that the trial court retains jurisdiction after a notice of appeal has been filed to correct any error in the imposition or calculation of fines, penalty assessments, surcharges, fees, or costs upon the defendant's request for correction.

AB 249 brings efficiencies to the courts by reducing the burdens associated with formal appeals and resentencing proceedings stemming from a common sentencing error. By requiring that this sentencing error be first raised in the trial court, which has ready access to the court records and other information necessary to review and resolve such issues, this bill would promote judicial economies and efficiencies by avoiding the costs and burdens associated with a formal appeal.

For these reasons, the Judicial Council requests your signature on AB 249.

Hon. Edmund G. Brown, Jr.

July 7, 2015

Page 2

Sincerely,

A handwritten signature in black ink that reads "Sharon Reilly". The signature is fluid and cursive, with "Sharon" on the left and "Reilly" on the right, slightly overlapping.

Sharon Reilly
Senior Attorney

SR/yc-s

cc: Hon. Jay Obernolte, Member of the Assembly

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

Mr. Martin Hoshino, Administrative Director, Judicial Council of California