



Judicial Council of California

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July 2, 2010

Hon. Arnold Schwarzenegger
Governor of California
State Capitol, First Floor
Sacramento, California 95814

Subject: AB 2505 (Strickland, Audra) – Request for Signature

Dear Governor Schwarzenegger:

The Judicial Council supports AB 2505, which allows an oath by an affiant seeking a search warrant to be made using a telephone and computer server, in addition to a fax machine or email, and would allow the affiant's signature to be in the form of an electronic signature.

While there is some concern about the possible risks posed by electronic processing of warrant requests, ultimately the council concluded that any risk could be addressed through development of adequate security measures. The council supports the increased efficiency and convenience of the electronic signature option.

An important factor in the council's decision to support AB 2505 is the fact that the use of the technology is discretionary, which means that courts that do not have the resources to develop an adequately secure system are under no obligation to do so. Under the bill, the magistrate would retain the authority to require an affiant to appear in person or allow the use of a faxed application. The bill simply affords courts with the interest and resources to develop an electronic-signature system the ability to do so.

For these reasons, the Judicial Council requests your signature on AB 2505.

Sincerely,

June Clark
Senior Attorney

JC/ljb

cc: Hon. Audra Strickland, Member of the Assembly
Mr. Aaron Maguire, Deputy Legislative Affairs Secretary, Office of the Governor
Ms. Kirsten Kolpitzke, Deputy Director of Legislation, Governor's Office of Planning and Research