



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS

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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

April 24, 2012

Hon. Mike Feuer, Chair
Assembly Judiciary Committee
State Capitol, Room 2013
Sacramento, California 95814

Subject: AB 2683 (Committee on Judiciary), as amended April 23, 2012 - Sponsor
Hearing: Assembly Judiciary Committee – May 1, 2012

Dear Assembly Member Feuer:

The Judicial Council supports and is sponsoring AB 2683, a non-controversial measure that makes some technical and conforming changes to the law governing specified notices to creditors in decedents' estates. The bill also corrects a statutory cross-reference in the recently enacted law governing venue in probate guardianship cases.

The statutorily required content of advice to creditors of decedents' estates concerning time limits on filing claims with the court and the personal representative of the estate may, in some situations, conflict with the time limits to file these claims required by law. The advice may be potentially misleading to creditors of decedents. AB 2683 would amend Probate Code sections 8100 and 9052 to conform their statements concerning time limits on filing creditors' claims in decedents' estates to the requirements for filing these claims established in Probate Code section 9100. If AB 2683 is enacted, conforming revisions would be made to two statutorily mandated Judicial Council forms that are used to advise these creditors.

Unfortunately, there is an incorrect cross-reference in AB 458 (Atkins), Stats. 2011, ch. 102, a bill that was sponsored by the Judicial Council last year. AB 458 added new Probate Code section 2204, which sets out new venue rules for guardianship cases where a prior custody action involving the proposed ward has already been filed in a county other than the county where the

Hon. Mike Feuer

April 24, 2012

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guardianship petition was filed. Subdivision (b) of section 2204 governs inter-court communications in these cases, and (b)(4) currently states that the provisions of subdivisions (b) to (e) of "Section 3140" shall apply to communications between courts under section 2204. "Section 3140" should be "Section 3410," part of the Uniform Child Custody Jurisdiction and Enforcement Act ("UCCJEA"), which is the model for these communications. Section 3140 does not have subds. (d) and (e) and it does not deal with the details of communications between courts, which is the topic of section 3410. AB 2683 would correct this cross-reference.

For these reasons, the Judicial Council is sponsoring AB 2683 and respectfully requests your Aye vote on the measure.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel Pone', with a stylized, cursive script.

Daniel Pone
Senior Attorney

DP/lp

cc: Members, Assembly Judiciary Committee

Mr. Anthony Lew, Counsel, Assembly Judiciary Committee

Mr. Aaron Maguire, Deputy Legislative Affairs Secretary, Office of the Governor

Mr. Mark Redmond, Consultant, Assembly Republican Office of Policy



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June 5, 2012

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

Subject: AB 2683 (Committee on Judiciary), as amended April 23, 2012 – Support/Sponsor
Hearing: Senate Judiciary Committee – June 12, 2012

Dear Senator Evans:

The Judicial Council supports and is sponsoring AB 2683, a non-controversial measure that makes some technical and conforming changes to the law governing specified notices to creditors in decedents' estates. The bill also corrects a statutory cross-reference in the recently enacted law governing venue in probate guardianship cases.

The statutorily required content of advice to creditors of decedents' estates concerning time limits on filing claims with the court and the personal representative of the estate may, in some situations, conflict with the time limits to file these claims required by law. The advice may be potentially misleading to creditors of decedents. AB 2683 would amend Probate Code sections 8100 and 9052 to conform their statements concerning time limits on filing creditors' claims in decedents' estates to the requirements for filing these claims established in Probate Code section 9100. If AB 2683 is enacted, conforming revisions would be made to two statutorily mandated Judicial Council forms that are used to advise these creditors.

Unfortunately, there is an incorrect cross-reference in AB 458 (Atkins), Stats. 2011, ch. 102, a bill that was sponsored by the Judicial Council last year. AB 458 added new Probate Code section 2204, which sets out new venue rules for guardianship cases where a prior custody action involving the proposed ward has already been filed in a county other than the county where the

Hon. Noreen Evans

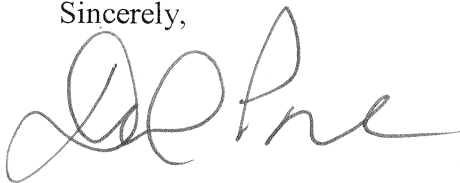
June 5, 2012

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guardianship petition was filed. Subdivision (b) of section 2204 governs inter-court communications in these cases, and (b)(4) currently states that the provisions of subdivisions (b) to (e) of "Section 3140" shall apply to communications between courts under section 2204. "Section 3140" should be "Section 3410," part of the Uniform Child Custody Jurisdiction and Enforcement Act ("UCCJEA"), which is the model for these communications. Section 3140 does not have subds. (d) and (e) and it does not deal with the details of communications between courts, which is the topic of section 3410. AB 2683 would correct this cross-reference.

For these reasons, the Judicial Council is sponsoring AB 2683 and respectfully requests your Aye vote on the measure.

Sincerely,

A handwritten signature in dark ink, appearing to read 'DPone', with a large, stylized initial 'D'.

Daniel Pone
Senior Attorney

DP/lp

cc: Members, Senate Judiciary Committee

Mr. Anthony Lew, Counsel, Assembly Judiciary Committee

Ms. Tara Welch, Counsel, Senate Judiciary Committee

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

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



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Director, Office of Governmental Affairs

August 7, 2012

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

Subject: AB 2683 (Committee on Judiciary) – Request for Signature

Dear Governor Brown:

The Judicial Council supports and is sponsoring AB 2683, a non-controversial measure that makes some technical and conforming changes to the law governing specified notices to creditors in decedents' estates. The bill also corrects a statutory cross-reference in the recently enacted law governing venue in probate guardianship cases.

The statutorily required content of advice to creditors of decedents' estates concerning time limits on filing claims with the court and the personal representative of the estate may, in some situations, conflict with the time limits to file these claims required by law. The advice may be potentially misleading to creditors of decedents. AB 2683 would amend Probate Code sections 8100 and 9052 to conform their statements concerning time limits on filing creditors' claims in decedents' estates to the requirements for filing these claims established in Probate Code section 9100. If AB 2683 is enacted, conforming revisions would be made to two statutorily mandated Judicial Council forms that are used to advise these creditors.

Unfortunately, there is an incorrect cross-reference in AB 458 (Atkins), Stats. 2011, ch. 102, a bill that was sponsored by the Judicial Council last year. AB 458 added new Probate Code section 2204, which sets out new venue rules for guardianship cases where a prior custody action involving the proposed ward has already been filed in a county other than the county where the guardianship petition was filed. Subdivision (b) of section 2204 governs inter-court

Hon. Edmund G. Brown, Jr.
August 7, 2012
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communications in these cases, and (b)(4) currently states that the provisions of subdivisions (b) to (e) of "Section 3140" shall apply to communications between courts under section 2204. "Section 3140" should be "Section 3410," part of the Uniform Child Custody Jurisdiction and Enforcement Act, which is the model for these communications. Section 3140 does not have subdivisions (d) and (e) and it does not deal with the details of communications between courts, which is the topic of section 3410. AB 2683 would correct this cross-reference.

AB 2683 is currently on the Senate floor, on the consent calendar; it has not received any "No" votes, and is anticipated to be on your desk shortly. For these reasons, the Judicial Council requests your signature on AB 2683.

Sincerely,

A handwritten signature in dark ink, appearing to read "Daniel Pone", written in a cursive style.

Daniel Pone
Senior Attorney

DP/lp

cc: Mr. Anthony Lew, Counsel, Assembly Judiciary Committee
Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor