



Judicial Council of California
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April 19, 2013

Hon. Bob Wieckowski, Chair
Assembly Judiciary Committee
State Capitol, Room 4016
Sacramento, California 95814

Subject: AB 301 (Wagner), as amended March 11, 2013 - Oppose
Hearing: Assembly Judiciary Committee – April 23, 2013

Dear Assembly Member Wieckowski:

The Judicial Council opposes AB 301, which requires the clerk of the superior court to include, in statements reporting individuals convicted of felonies to the chief elections official in its respective county, to also report the name, address, and date of birth of each person who has, since the clerk's last statement, declared in response to a jury summons from the superior court, that he or she is not qualified to serve as a juror, because he or she is not a citizen of the United States. AB 301 requires the elections official to cancel the affidavit of registration of each person so listed by the clerk.

AB 301 would be financially and administratively burdensome on the courts, as it would require court clerks to manually review each juror questionnaire filled out by prospective juror to identify individuals who identify themselves as noncitizens. Courts do not currently have an automated process that captures information on jury questionnaires so this information is not quickly ascertainable. As a result, AB 301 would require courts to establish a new data tracking mechanism to identify individuals who state that they are not citizens on jury questionnaires in order to report that information to the chief elections official. AB 301 would require the court to divert scarce resources to support a function that is within the purview of the county elections official and not the Judicial Branch.

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For these reasons, the Judicial Council opposes AB 301.

Sincerely,

A handwritten signature in cursive script, reading "Sharon Reilly".

Sharon Reilly
Senior Attorney

SR/yc-s

cc: Members, Assembly Judiciary Committee
Hon. Donald P. Wagner, Member of the Assembly
Mr. Kevin Baker, Deputy Chief Counsel, Assembly Judiciary Committee
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor
Mr. Paul Dress, Consultant, Assembly Republican Office of Policy