



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS

770 L Street, Suite 700 • Sacramento, California 95814-3393
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RONALD M. GEORGE
Chief Justice of California
Chair of the Judicial Council

WILLIAM C. VICKREY
Administrative Director of the Courts

RONALD G. OVERHOLT
Chief Deputy Director

CURTIS L. CHILD
Director, Office of Governmental Affairs

April 14, 2009

Hon. Mike Feuer, Chair
Assembly Judiciary Committee
State Capitol, Room 3146
Sacramento, California 95814

Subject: Assembly Bill 712 (Evans), as amended April 13, 2009 - Support
Hearing: Assembly Judiciary Committee – April 21, 2009

Dear Assembly Member Feuer:

The Judicial Council supports AB 712, which specifies that a small claims court has jurisdiction over an action for an injunction or other equitable relief when a statute expressly authorizes a small claims court to award that relief. AB 712 also expressly provides that the act does not expand, or encourage the expansion of, the jurisdiction of the small claims court.

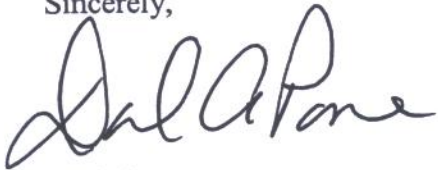
The Judicial Council supports AB 712 because it will help clarify the jurisdiction of the small claims court and avoid improper dismissals of cases where statutes other than the Small Claims Act have specifically authorized actions for injunctive or other forms of equitable relief to be brought in that court. AB 712 was introduced in response to concerns from some small claims advisors and other self-help advocates that pro tem small claims hearing officers in a number of jurisdictions have reportedly improperly rejected injunctive relief actions brought under the Davis-Stirling Common Interest Development law, based on the lack of specific authority in the

Hon. Mike Feuer
April 14, 2009
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Small Claims Act to hear such actions. AB 712 appropriately clarifies that the intent of this measure is not to expand, or encourage the expansion of, the jurisdiction of the small claims court, but makes clear that the small claims court has jurisdiction to hear injunctive or equitable relief actions when a statute outside of the Small Claims Act expressly authorizes that court to do so.

For these reasons, the Judicial Council supports AB 712.

Sincerely,

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

Daniel Pone
Senior Attorney

DP/ljb

cc: Members, Assembly Judiciary Committee

Hon. Noreen Evans, Member of the Assembly

Ms. Leora Gershenzon, Staff Counsel, Assembly Judiciary Committee

Mr. Mark Redmond, Policy Consultant, Assembly Republican Caucus

Mr. Michael Prozio, Legislative Affairs Secretary, Office of the Governor

Ms. Kirsten Kolpitzke, Deputy Director of Legislation, Governor's Office of Planning and Research



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May 19, 2009

Hon. Ellen Corbett, Chair
Senate Judiciary Committee
State Capitol, Room 5108
Sacramento, California 95814

Subject: Assembly Bill 712 (Evans), as amended April 13, 2009 - Support
Hearing: Senate Judiciary Committee – June 9, 2009

Dear Senator Corbett:

The Judicial Council supports AB 712, which specifies that a small claims court has jurisdiction over an action for an injunction or other equitable relief when a statute expressly authorizes a small claims court to award that relief. AB 712 also expressly provides that the act does not expand, or encourage the expansion of, the jurisdiction of the small claims court.

The Judicial Council supports AB 712 because it will help clarify the jurisdiction of the small claims court and avoid improper dismissals of cases where statutes other than the Small Claims Act have specifically authorized actions for injunctive or other forms of equitable relief to be brought in that court. AB 712 was introduced in response to concerns from some small claims advisors and other self-help advocates that pro tem small claims hearing officers in a number of jurisdictions have reportedly improperly rejected injunctive relief actions brought under the Davis-Stirling Common Interest Development law, based on the lack of specific authority in the

Hon. Ellen Corbett
May 19, 2009
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For these reasons, the Judicial Council supports AB 712.

Sincerely,

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

Daniel Pone
Senior Attorney

DP/ljb

cc: Members, Senate Judiciary Committee

Hon. Noreen Evans, Member of the Assembly

Ms. Alexandra Montgomery, Counsel, Senate Judiciary Committee

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

Mr. Michael Prosio, Legislative Affairs Secretary, Office of the Governor

Ms. Kirsten Kolpitzke, Deputy Director of Legislation, Governor's Office of Planning and Research



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CURTIS L. CHILD
Director, Office of Governmental Affairs

September 9, 2009

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

Subject: Assembly Bill 712 (Evans) – Request for Signature

Dear Governor Schwarzenegger:

The Judicial Council supports AB 712, which specifies that a small claims court has jurisdiction over an action for an injunction or other equitable relief when a statute expressly authorizes a small claims court to award that relief. AB 712 also expressly provides that the act does not expand, or encourage the expansion of, the jurisdiction of the small claims court.

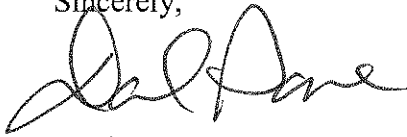
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For these reasons, the Judicial Council requests your signature on AB 712.

Sincerely,

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

Daniel Pone
Senior Attorney

DP/ljb

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