



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

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September 7, 2006

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

Subject: AB 2303 (Committee on Judiciary) – Request for Signature

Dear Governor Schwarzenegger:

The Judicial Council is proud to sponsor a number of the provisions contained in AB 2303, as they will improve and enhance judicial administration and effectiveness. The Judicial Council sponsored provisions included in AB 2303 would achieve the following:

- *Improve the Procedures for Obtaining a Change of Name.* AB 2303 contains a number of procedural improvements to make it easier for litigants to have their petition considered by the court. The key changes would: (1) extend the time for the court to set a hearing on a petition so that the petitioner has ample time to arrange for publication, and/or serve a non-consenting parent of a minor; and (2) provide that if no objection to a petition for a name change is filed at least two days before the scheduled hearing date a court may grant the petition without a hearing.
- *Authorize electronic submission of notice to appear citation to eliminate unnecessary paper transmissions.* AB 2303 would allow courts to receive notice to appear citations for non-parking traffic violations electronically if the court is able to receive it in this manner and reproduce the notice in a printed form. This process is easier and more efficient for courts and law enforcement.
- *Align service times for elder abuse protective orders with all other protective orders.* In order to ensure timely service of temporary restraining orders and

reduce the need for the court to grant a continuance in a case involving elder abuse in which a party did not have an opportunity to file a response, AB 2303 would require that the temporary order be served at least five days before the court hearing date (current law requires that service be achieved at least two days before the hearing). The five day requirement is consistent with the date for Domestic Violence Prevention Act orders, as well as civil harassment and workplace violence restraining orders.

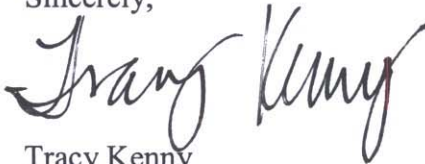
- *Extend the sunset date for authority to impose monetary sanctions for juror non-appearance.* Legislation enacted in 2003 (AB 1180, Harman) provided that courts would have the authority to impose modest monetary sanctions upon jurors who fail to appear in lieu of pursuing a contempt action. That legislation is set to sunset on January 1, 2007. AB 2303 would extend the sunset date until January 1, 2010, and require the Judicial Council to report to the Legislature by the end of 2008 on the continued effects of implementing these provisions.

For more background and information regarding each of these provisions, please see the enclosed Fact Sheet.

In addition, the Judicial Council supports a provision included in AB 2303 at the request of Merced County that will assist the county and the court in successfully completing the transfer of ownership of the courthouse from the county to the court, by extending the deadline for completion of ongoing negotiations from January 1, 2007 to April 1, 2007. Should those negotiations fail to result in a transfer by the new deadline, AB 2303 would require the county to repay \$3 million in construction funds provided by the state upon the condition that the facility transfer. The longer deadline will allow the transfer process to be completed without allowing for inappropriate delays.

Each of these modest and mostly technical changes will enhance the smooth and efficient administration of justice. For these reasons, we request your signature on AB 2303.

Sincerely,



Tracy Kenny
Enclosure

cc: Hon. Dave Jones, Chair, Assembly Judiciary Committee
Eric Csizmar, Deputy Legislative Secretary, Office of the Governor
Ms. Sue Blake, Director of Legislation, Office of Planning and Research