



## Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS

770 L Street, Suite 700 • Sacramento, California 95814-3393

Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

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*

KATHLEEN T. HOWARD  
*Director, Office of Governmental Affairs*

April 5, 2007

Hon. Ellen M. Corbett, Chair  
Senate Judiciary Committee  
State Capitol, Room 3092  
Sacramento, California 95814

Subject: SB 396 (Ridley-Thomas), as proposed to be amended – Support  
Hearing: Senate Judiciary Committee – April 10, 2007

Dear Senator Corbett:

The Judicial Council is please to support SB 396, as it is proposed to be amended to require the creation of a Commission on Civil Fees in the Courts.

At its February meeting, the Judicial Council approved a recommendation from the Task Force on Civil Fees to establish a commission on civil fees. Subsequently, the council approved sponsorship of legislation to require the establishment of the Commission on Civil Fees in the Courts with the issues of membership, appointment, and reporting requirements to the council to be adopted through an implementing rule of court. A proposed rule would be presented to the council in 2008 if SB 396 is enacted.

We are pleased that Senator Ridley-Thomas will amend SB 396 to require the establishment of the commission. The commission will bring regularity and predictability to the process of

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April 5, 2007

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reviewing filing fees to ensure that programs that rely on filing fee revenues and that historically saw regular fee increases will not be unfairly disadvantaged under the current fee structure.

Sincerely,



Eraina Ortega  
Manager

EO/lb

cc: Members, Senate Judiciary Committee  
Hon. Mark Ridley-Thomas, Member of the Senate  
Mr. Bill Gage, Chief Consultant, Senate Business, Professions, & Economic  
Development Committee  
Ms. Gloria Ochoa, Deputy Chief Counsel, Senate Judiciary Committee  
Mr. Eric Csizmar, Deputy Legislative Affairs Secretary, Office of the Governor  
Mr. Brent Jamison, Acting Director of Legislation, Office of Planning and Research



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April 5, 2007

Hon. Ellen M. Corbett, Chair  
Senate Judiciary Committee  
State Capitol, Room 3092  
Sacramento, California 95814

Subject: SB 539 (Margett), as proposed to be amended – Neutral  
Hearing: Senate Judiciary Committee – April 10, 2007

Dear Senator Corbett:

The Judicial Council has been informed that SB 539 will be amended to 1) change the notification the State Controller's Office (SCO) provides to courts and counties that an under-remittance of state revenues has occurred and 2) amend the requirement that the county transmit the penalty funds to the state.

Under current law, the county is required to pay any penalties resulting from audit findings issued by the State Controller's Office. When the error identified by the SCO is the fault of the court, the county must still pay the penalty to the state and then seek reimbursement from the court. The State Association of County Auditors contends that this no longer makes sense because courts now have their own bank accounts outside the County Treasury and are able to pay penalties directly to the state and on their own behalf. SB 539 would require the SCO to notify either the court or the county directly of their fault in the under-remittance and then require that court or county to pay the penalty directly to the state.

Staff of the Administrative Office of the Courts (AOC) sought input on SB 539 from Trial Court Presiding Judges and Court Executive Officers. At the time this letter was prepared, three Court

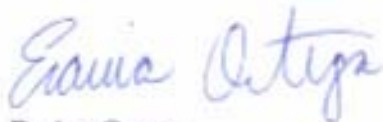
Hon. Ellen M. Corbett, Chair

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Executive Officers responded that the change proposed in SB 539 was not a concern to their courts. Because of the limited input received to date, the Judicial Council has adopted a neutral position on this bill. If additional information is gathered that results in the council adopting a different position on the bill, AOC staff will notify the Senate Judiciary Committee immediately.

Sincerely,



Eraina Ortega  
Manager

EO/lb

cc: Members, Senate Judiciary Committee  
Hon. Bob Margett, Member of the Senate  
Ms. Alexandra Montgomery, Committee Counsel, Senate Judiciary Committee  
Mr. Eric Csizmar, Deputy Legislative Affairs Secretary, Office of the Governor  
Mr. Brent Jamison, Acting Director of Legislation, Office of Planning and Research





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*Director, Office of Governmental Affairs*

June 7, 2007

Hon. Dave Jones, Chair  
Assembly Judiciary Committee  
State Capitol, Room 3146  
Sacramento, California 95814

Subject: SB 396 (Ridley-Thomas), as amended April 24, 2007 – Support  
Hearing: Assembly Judiciary Committee – June 19, 2007

Dear Assembly Member Jones:

The Judicial Council is pleased to co-sponsor SB 396 with the California Dispute Resolution Council.

In its final report the Judicial Council and the Legislature, the council's Task Force on Civil Fees, established pursuant to Government Code section 70601, recommended creating a commission to address the issues of civil filing fee increases on an ongoing basis. SB 396 would establish the Commission on Civil Fees in the Courts, charged with the responsibility of reviewing and making appropriate recommendations to the Legislature on the fee structure, revenues received, and the funding needs of those entities that rely on filing fee revenues. The commission will bring regularity and

Hon. Dave Jones, Chair  
June 7, 2007  
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predictability to the process of reviewing filing fees to ensure that programs that rely on filing fee revenues and that historically saw regular fee increases will not be unfairly disadvantaged under the current fee structure.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, reading "Eraina Ortega / kh".

Eraina Ortega  
Manager

EO/lb

cc: Members, Assembly Judiciary Committee  
Hon. Mark Ridley-Thomas, Member of the Senate  
Mr. Kevin Baker, Committee Counsel, Assembly Judiciary Committee  
Mr. Eric Csizmar, Deputy Legislative Affairs Secretary, Office of the Governor  
Mr. Bill Gage, Chief Consultant, Senate Business, Professions, & Economic  
Development Committee  
Mr. Brent Jamison, Acting Director of Legislation, Office of Planning and Research  
Mr. Mark Redmond, Consultant, Assembly Republican Office of Policy



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770 "L" Street, Suite 700 • Sacramento, California 95814-3393  
Telephone 916-323-3121 • Fax 916-323-4347 • TDD 800-735-2929

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*

KATHLEEN T. HOWARD  
*Director, Office of Governmental Affairs*

September 17, 2007

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

Subject: SB 396 (Ridley-Thomas) – Request for Signature

Dear Governor Schwarzenegger:

The Judicial Council respectfully requests your signature of SB 396 a bill we are pleased to co-sponsor with the California Dispute Resolution Council.

SB 396 would establish the Commission on Civil Fees in the Courts, charged with the responsibility of reviewing and making appropriate recommendations to the Legislature on the fee structure, revenues received, and the funding needs of those entities that rely on filing fee revenues. The commission will bring regularity and predictability to the process of reviewing filing fees to ensure that programs that rely on filing fee revenues and that historically saw regular fee increases will not be unfairly disadvantaged under the current fee structure.

For these reasons, the Judicial Council requests your signature on SB 396.

Sincerely,

Eraina Ortega  
Manager

EO/lb

cc: Hon. Mark Ridley-Thomas, Member of the Senate  
Ms. Donne Brownsey, Vice-President, Sacramento Advocates  
Mr. Chris Ryan, Deputy Legislative Affairs Secretary, Office of the Governor  
Mr. Brent Jamison, Director of Legislation, Governor's Office of Planning and Research