



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

CURTIS L. CHILD
Director, Office of Governmental Affairs

March 20, 2008

Hon. Mark Ridley-Thomas, Chair
Business, Professions and Economic Development Committee
State Capitol, Room 4061
Sacramento, California 95814

Subject: SB 1432 (Margett), as introduced - Support
Hearing: Business, Professions and Economic Development Committee – March 24, 2008

Dear Senator Ridley-Thomas:

The Judicial Council supports SB 1432, which, among other things, increases the jurisdiction of the small claims court from \$4,000 to \$7,500 for any action brought by a natural person against a defendant guarantor that charges a fee for its guarantor or surety services.

The Judicial Council supports SB 1432 because the bill is consistent with the recent legislation that raised the jurisdiction of small claims court actions brought by natural persons from \$5,000 to \$7,500. SB 1432 is also a logical extension of the legislation enacted two years ago (AB 2455) that increased to \$7,500 the amount that consumers can obtain from a cash deposit demand against the Registrar through the small claims court process. The council believes that, ideally, the statute should be amended further to remove the remaining \$2,500 and \$4,000 caps, and that actions against all defendant guarantors should be allowed in small claims court up to the jurisdictional limits that apply in other cases. However, the Judicial Council also believes that the more limited change being proposed in SB 1432 is another important step in the right direction, which should at least minimize confusion in this area and make it easier for small claims litigants, small claims advisors, and the courts.

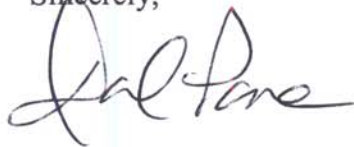
Hon. Mark Ridley-Thomas, Chair

March 20, 2008

Page 2

For these reasons, the Judicial Council supports SB 1432.

Sincerely,

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

Daniel Pone
Senior Attorney

DP/op

cc: Members, Senate Business, Professions and Economic Development Committee
Hon. Bob Margett, Member of the Senate
Mr. G.V. Ayers, Consultant, Senate Business, Professions and Economic Development Committee
Mr. Michael Brown, Contractors State License Board
Mr. Chris Ryan, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Brent Jamison, Director of Legislation, Governor's Office of Planning and Research



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

CURTIS L. CHILD
Director, Office of Governmental Affairs

April 2, 2008

Hon. Mark Ridley-Thomas, Chair
Business, Professions and Economic Development Committee
State Capitol, Room 4061
Sacramento, California 95814

Subject: SB 1432 (Margett), as introduced - Support
Hearing: Business, Professions and Economic Development Committee – April 14, 2008

Dear Senator Ridley-Thomas:

The Judicial Council supports SB 1432, which, among other things, increases the jurisdiction of the small claims court from \$4,000 to \$7,500 for any action brought by a natural person against a defendant guarantor that charges a fee for its guarantor or surety services. The council takes no position on the remaining provisions in the bill.

The Judicial Council supports SB 1432 because the bill is consistent with the recent legislation that raised the jurisdiction of small claims court actions brought by natural persons from \$5,000 to \$7,500. SB 1432 is also a logical extension of the legislation enacted two years ago (AB 2455) that increased to \$7,500 the amount that consumers can obtain from a cash deposit demand against the Registrar through the small claims court process. The council believes that, ideally, the statute should be amended further to remove the remaining \$2,500 and \$4,000 caps, and that actions against all defendant guarantors should be allowed in small claims court up to the jurisdictional limits that apply in other cases. However, the Judicial Council also believes that the more limited change being proposed in SB 1432 is another important step in the right direction,

Hon. Mark Ridley-Thomas, Chair

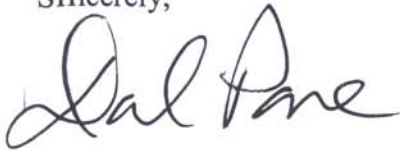
April 2, 2008

Page 2

which should at least minimize confusion in this area and make it easier for small claims litigants, small claims advisors, and the courts.

For these reasons, the Judicial Council supports SB 1432.

Sincerely,

A handwritten signature in black ink, appearing to read "Dal Pone". The signature is fluid and cursive, with the first name "Dal" and last name "Pone" clearly distinguishable.

Daniel Pone
Senior Attorney

DP/op

cc: Members, Senate Business, Professions and Economic Development Committee
Hon. Bob Margett, Member of the Senate
Mr. G.V. Ayers, Consultant, Senate Business, Professions and Economic Development Committee
Mr. Michael Brown, Chief of Legislative Affairs, Contractors State License Board
Mr. Chris Ryan, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Brent Jamison, Director of Legislation, Governor's Office of Planning and Research



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

CURTIS L. CHILD
Director, Office of Governmental Affairs

April 11, 2008

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

Subject: SB 1432 (Margett), as introduced - Support
Hearing: Senate Judiciary Committee – April 29, 2008

Dear Senator Corbett:

The Judicial Council supports SB 1432, which, among other things, increases the jurisdiction of the small claims court from \$4,000 to \$7,500 for any action brought by a natural person against a defendant guarantor that charges a fee for its guarantor or surety services. The council takes no position on the remaining provisions in the bill.

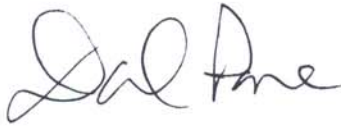
The Judicial Council supports SB 1432 because the bill is consistent with the recent legislation that raised the jurisdiction of small claims court actions brought by natural persons from \$5,000 to \$7,500. SB 1432 is also a logical extension of the legislation enacted two years ago (AB 2455) that increased to \$7,500 the amount that consumers can obtain from a cash deposit demand against the Registrar through the small claims court process. The council believes that, ideally, the statute should be amended further to remove the remaining \$2,500 and \$4,000 caps, and that actions against all defendant guarantors should be allowed in small claims court up to the jurisdictional limits that apply in other cases. However, the Judicial Council also believes that the more limited change being proposed in SB 1432 is another important step in the right direction,

Hon. Ellen Corbett, Chair
April 11, 2008
Page 2

which should at least minimize confusion in this area and make it easier for small claims litigants, small claims advisors, and the courts.

For these reasons, the Judicial Council supports SB 1432.

Sincerely,

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

Daniel Pone
Senior Attorney

DP/op

cc: Members, Senate Judiciary Committee
Hon. Bob Margett, Member of the Senate
Mr. Gene Wong, Chief Counsel, Senate Judiciary Committee
Mr. Michael Brown, Chief of Legislative Affairs, Contractors State License Board
Mr. Mike Peterson, Consultant, Senate Republican Office of Policy
Mr. Chris Ryan, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Brent Jamison, Director of Legislation, Governor's Office of Planning and Research



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

CURTIS L. CHILD
Director, Office of Governmental Affairs

May 29, 2008

Hon. Mike Eng, Chair
Assembly Business and Professions Committee
State Capitol, Room 6025
Sacramento, California 95814

Subject: SB 1432 (Margett), as amended May 6, 2008 - Support
Hearing: Assembly Business and Professions Committee – June 17, 2008

Dear Assembly Member Eng:

The Judicial Council supports SB 1432, which among other things, increases the jurisdiction of the small claims court from \$4,000 to \$6,500 for any action brought by a natural person against a defendant guarantor that charges a fee for its guarantor or surety services. The council takes no position on the remaining provisions in the bill.

Recent legislation raised the jurisdiction of small claims court actions brought by natural persons from \$5,000 to \$7,500. (AB 1459, Stats. 2005, ch. 618; SB 422, Stats. 2005, ch. 600) Following this change, legislation was enacted in 2006 that increased to \$7,500 the amount that consumers can obtain from a cash deposit demand against the Registrar of the Contractors' State License Board through the small claims court process. (AB 2455, Stats. 2006, ch. 150; see Code of Civil Procedure (CCP) sec. 116.220(c)(1).) However, AB 2455 did not change the existing \$2,500 cap on any action brought under the Small Claims Act against a defendant guarantor that does not charge a fee for its guarantor or surety services. (See CCP sec. 116.220(c)(2).) The act also still contains a \$4,000 cap on actions brought by an entity other than a natural person against a

Hon. Mike Eng, Chair
May 29, 2008
Page 2

defendant guarantor that charges a fee for its guarantor or surety services or against the Registrar as the guarantor. (See CCP sec. 116.220(c)(3).)

The Judicial Council believes that, ideally, the statute should be amended further to remove the \$2,500 and \$4,000 caps, and that all actions against defendant guarantors should be allowed in small claims court up to the jurisdictional limits that apply in other cases. However, the Judicial Council also believes that the more limited change being proposed in SB 1432 is another important step in the right direction, which should help improve access to the courts.

For this reason, the Judicial Council supports SB 1432.

Sincerely,

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

Daniel Pone
Senior Attorney

DP/op

cc: Members, Assembly Business and Professions Committee
Hon. Bob Margett, Member of the Senate
Ms. Josefina Ramirez, Consultant, Assembly Business and Professions Committee
Mr. Michael Brown, Chief of Legislative Affairs, Contractors State License Board
Mr. Ted Blanchard, Consultant, Assembly Republican Caucus Office of Policy
Mr. Chris Ryan, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Brent Jamison, Director of Legislation, Governor's Office of Planning and Research



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

CURTIS L. CHILD
Director, Office of Governmental Affairs

June 18, 2008

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

Subject: SB 1432 (Margett), as amended May 6, 2008 - Support
Hearing: Assembly Judiciary Committee – June 24, 2008

Dear Assembly Member Jones:

The Judicial Council supports SB 1432, which among other things, increases the jurisdiction of the small claims court from \$4,000 to \$6,500 for any action brought by a natural person against a defendant guarantor that charges a fee for its guarantor or surety services. The council takes no position on the remaining provisions in the bill.

Recent legislation raised the jurisdiction of small claims court actions brought by natural persons from \$5,000 to \$7,500. (AB 1459, Stats. 2005, ch. 618; SB 422, Stats. 2005, ch. 600) Following this change, legislation was enacted in 2006 that increased to \$7,500 the amount that consumers can obtain from a cash deposit demand against the Registrar of the Contractors' State License Board through the small claims court process. (AB 2455, Stats. 2006, ch. 150; see Code of Civil Procedure (CCP) sec. 116.220(c)(1).) However, AB 2455 did not change the existing \$2,500 cap on any action brought under the Small Claims Act against a defendant guarantor that does not charge a fee for its guarantor or surety services. (See CCP sec. 116.220(c)(2).) The act also still contains a \$4,000 cap on actions brought by an entity other than a natural person against a

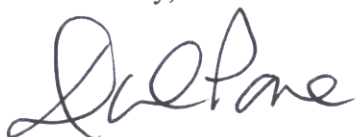
Hon. Dave Jones, Chair
June 18, 2008
Page 2

defendant guarantor that charges a fee for its guarantor or surety services or against the Registrar as the guarantor. (See CCP sec. 116.220(c)(3).)

The Judicial Council believes that, ideally, the statute should be amended further to remove the \$2,500 and \$4,000 caps, and that all actions against defendant guarantors should be allowed in small claims court up to the jurisdictional limits that apply in other cases. However, the Judicial Council also believes that the more limited change being proposed in SB 1432 is another important step in the right direction, which should help improve access to the courts.

For this reason, the Judicial Council supports SB 1432.

Sincerely,

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

Daniel Pone
Senior Attorney

DP/op

cc: Members, Assembly Judiciary Committee
Hon. Bob Margett, Member of the Senate
Mr. Drew Liebert, Chief Counsel, Assembly Judiciary Committee
Mr. Mark Redmond, Senior Consultant, Assembly Republican Caucus Office of Policy
Mr. Michael Brown, Chief of Legislative Affairs, Contractors State License Board
Mr. Chris Ryan, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Brent Jamison, Director of Legislation, Governor's Office of Planning and Research



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 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

CURTIS L. CHILD
Director, Office of Governmental Affairs

July 1, 2008

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

Subject: SB 1432 (Margett) – Request for Signature

Dear Governor Schwarzenegger:

The Judicial Council supports SB 1432, which among other things, increases the jurisdiction of the small claims court from \$4,000 to \$6,500 for any action brought by a natural person against a defendant guarantor that charges a fee for its guarantor or surety services. The council takes no position on the remaining provisions in the bill.

Recent legislation raised the jurisdiction of small claims court actions brought by natural persons from \$5,000 to \$7,500. (AB 1459, Stats. 2005, ch. 618; SB 422, Stats. 2005, ch. 600) Following this change, legislation was enacted in 2006 that increased to \$7,500 the amount that consumers can obtain from a cash deposit demand against the Registrar of the Contractors' State License Board through the small claims court process. (AB 2455, Stats. 2006, ch. 150) The Judicial Council believes that SB 1432 is another important step in the right direction, which should help improve access to the courts and assist the parties through the much simpler and less expensive small claims court process.

For these reasons, the Judicial Council requests your signature on SB 1432.

Sincerely,

Daniel A. Pone
Senior Attorney

DP/ljb

cc: Hon. Bob Margett, Member of the Senate
Mr. Michael Brown, Chief of Legislative Affairs, Contractors State License Board
Mr. Chris Ryan, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Brent Jamison, Director of Legislation, Governor's Office of Planning and Research