



JUDICIAL COUNCIL OF CALIFORNIA

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TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

MARTIN HOSHINO
Administrative Director

CORY T. JASPERSON
Director, Governmental Affairs

September 4, 2015

Hon. Bob Wieckowski
Member of the Senate
State Capitol, Room 3086
Sacramento, California 95814

Subject: SB 383 (Wieckowski), as amended September 2, 2015 – Support

Dear Senator Wieckowski:

The Judicial Council is very pleased to support SB 383. This bill establishes important new requirements for filing, amending and resolving demurrers. Among other things, the bill now requires the parties to meet and confer, in person or by telephone, before the demurring party may file a demurrer. SB 383 also establishes various streamlined procedures and timelines for the courts and parties to follow to resolve demurrers more efficiently.

SB 383 is an outgrowth of conversations during the last two years between the Chief Justice and leadership of the bill's co-sponsors, California Judges Association (CJA), California Defense Council (CDC), and the Consumer Attorneys of California (CAOC) regarding various problems and delays resulting from current demurrer practice. Based on this input, the Chief Justice urged CJA, CDC and CAOC to work cooperatively with the Judicial Council to explore the development of a legislative proposal that would help streamline the courts' handling of demurrers. A demurrers working group was formed under the umbrella of the council's Civil and Small Claims Advisory Committee to help facilitate this effort, and legal staff to the committee provided ongoing technical assistance to the bill's sponsors on this joint legislative proposal.

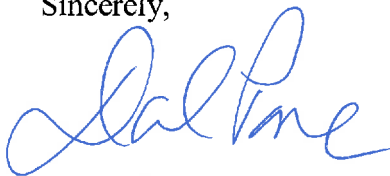
SB 383 is the type of efficiency measure that the Legislature and the Administration have been seeking from the judiciary, and we appreciate your leadership in this effort. This bill represents a

Hon. Bob Wieckowski
September 4, 2015
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consensus approach between the bench and bar that has the potential for achieving major improvements in the overall handling of demurrers. The Judicial Council believes that the bill should cut down on the number of repetitive demurrers being filed and speed up litigation in a significant percentage of cases, which should hopefully save time and money for both litigants and the courts. The council also notes that the bill contains a five-year sunset, which will allow for an evaluation of its effectiveness in order to determine the overall utility of continuing this approach longer term.

For these reasons, the Judicial Council supports SB 383.

Sincerely,



Daniel Pone
Senior Attorney

DP/lmb

cc: Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor
Ms. Lexi Purich Howard, Legislative Director, California Judges Association
Mr. Mike Belote, Lobbyist, California Defense Counsel
Ms. Nancy Drabble, Chief Lobbyist/CEO, Consumer Attorneys of California
Mr. Martin Hoshino, Administrative Director, Judicial Council of California



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September 10, 2015

Hon. Edmund G. Brown, Jr.
Governor of California
State Capitol, First Floor
Sacramento, California 95814

Subject: SB 383 (Wieckowski), as amended September 2, 2015 – Request for Signature

Dear Governor Brown:

The Judicial Council is very pleased to support SB 383. This bill establishes important new requirements for filing, amending and resolving demurrers. Among other things, the bill requires the parties to meet and confer, in person or by telephone, before the demurring party may file a demurrer. SB 383 also establishes various streamlined procedures and timelines for the courts and parties to follow to resolve demurrers more efficiently.

SB 383 is an outgrowth of conversations during the last two years between the Chief Justice and leadership of the bill's co-sponsors, California Judges Association (CJA), California Defense Council (CDC), and the Consumer Attorneys of California (CAOC) regarding various problems and delays resulting from current demurrer practice. Based on this input, the Chief Justice urged CJA, CDC and CAOC to work cooperatively with the Judicial Council to explore the development of a legislative proposal that would help streamline the courts' handling of demurrers. A demurrers working group was formed under the umbrella of the council's Civil and Small Claims Advisory Committee to help facilitate this effort, and legal staff to the committee provided ongoing technical assistance to the bill's sponsors on this joint legislative proposal.

SB 383 is the type of efficiency measure that the Legislature and the Administration have been seeking from the judiciary. This bill represents a consensus approach between the bench and bar that has the potential for achieving major improvements in the overall handling of demurrers.

The Judicial Council believes that the bill should cut down on the number of repetitive demurrers being filed and speed up litigation in a significant percentage of cases, which should hopefully save time and money for both litigants and the courts. The council also notes that the bill contains a five-year sunset, which will allow for an evaluation of its effectiveness in order to determine the overall utility of continuing this approach longer term.

For these reasons, the Judicial Council respectfully requests your signature on SB 383.

Sincerely,



Cory T. Jasperson
Director, Governmental Affairs

CJ/DP/lmb

cc: Hon. Bob Wieckowski, Member of the Senate
Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Mike Belote, Lobbyist, California Defense Counsel
Ms. Nancy Drabble, Chief Lobbyist/CEO, Consumer Attorneys of California
Ms. Lexi Purich Howard, Legislative Director, California Judges Association
Mr. Martin Hoshino, Administrative Director, Judicial Council of California