



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS
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TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

STEVEN JAHR
Administrative Director of the Courts

CORY T. JASPERSON
Director, Office of Governmental Affairs

June 13, 2013

Hon. Roger Dickinson
Member of the Assembly
State Capitol, Room 2013
Sacramento, California 95814

Subject: AB 1167 (Dickinson), as amended June 10, 2013 - Support

Dear Assembly Member Dickinson:

The Judicial Council is pleased to support AB 1167, which seeks to clarify the procedures for levying officers to follow in their efforts to enforce judgments where the underlying writ of execution was issued by the court in an electronic form. Among other things, AB 1167 details the specific information that must be included in a judgment creditor's instructions to the levying officer in such cases. The bill also makes clear that the levying officer in such cases may generally proceed in the same manner as if in possession of a paper version of the original writ.

AB 1167 is one of a number of steps that are being taken to help move the courts and their justice system partners into the electronic age, and the Judicial Council is supportive of these overall efforts. However, not all courts currently have the ability to transact their business through electronic means. In recognition of this fact, we appreciate that you and the sponsors of AB 1167 placed the substantive provisions of the bill in the recently enacted Levying Officer Electronic Transactions Act (LOETA) (AB 2394, Stats. 2010, ch. 680). LOETA was intended to encourage and accommodate the shift from a paper-based system to the creation, storage, and transmission of electronic documents where feasible. Importantly, LOETA contains specific language that makes clear that courts and levying officers are not required to comply with its provisions unless they have jointly determined that both the court and the sheriff's department

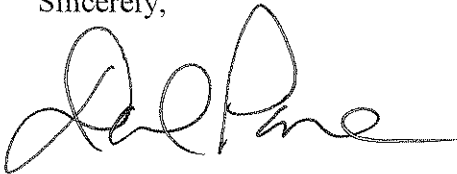
Hon. Roger Dickinson
June 13, 2013
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have the resources and the technological capacity to do so, and have mutually agreed to electronically act upon documents that are covered by the legislation. (See Code of Civil Procedure section 263(c).)

Since the key operative language in AB 1167 is contained in amendments to one of the main provisions in LOETA, the bill will not interfere with the courts' opt-in protections under that act. In light of this protection, the Judicial Council supports AB 1167 since it will help clarify the law in the area, and result in improved efficiencies in the processing of writs of execution.

For these reasons, the Judicial Council supports AB 1167.

Sincerely,

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

Daniel Pone
Senior Attorney

DP/yc-s

cc: Ms. Danielle Higgs, Lobbyist, California State Sheriffs' Association
Lt. Wayne Bilowit, Los Angeles County Sheriff's Department
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor



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CORY T. JASPERSON
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August 14, 2013

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

Subject: AB 1167 (Dickinson) – Request for Signature

Dear Governor Brown:

The Judicial Council requests your signature on AB 1167, which seeks to clarify the procedures for levying officers to follow in their efforts to enforce judgments where the underlying writ of execution was issued by the court in an electronic form. Among other things, AB 1167 details the specific information that must be included in a judgment creditor's instructions to the levying officer in such cases. The bill also makes clear that the levying officer in such cases may generally proceed in the same manner as if in possession of a paper version of the original writ.

AB 1167 is one of a number of steps that are being taken to help move the courts and their justice system partners into the electronic age, and the Judicial Council is supportive of these overall efforts. However, not all courts currently have the ability to transact their business through electronic means. In recognition of this fact, the author and sponsors of AB 1167 appropriately placed the substantive provisions of the bill in the recently enacted Levying Officer Electronic Transactions Act (LOETA) (AB 2394, Stats. 2010, ch. 680). LOETA was intended to encourage and accommodate the shift from a paper-based system to the creation, storage, and transmission of electronic documents where feasible. Importantly, LOETA contains specific language that makes clear that courts and levying officers are not required to comply with its provisions unless they have jointly determined that both the court and the sheriff's department

Hon. Edmund G. Brown, Jr.

August 14, 2013

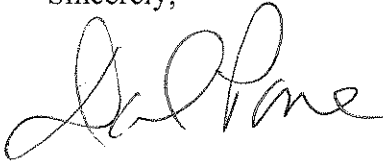
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For these reasons, the Judicial Council requests your signature on AB 1167.

Sincerely,

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

Daniel Pone
Senior Attorney

DP/nco

cc: Hon. Roger Dickinson, Member of the Assembly
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor
Lt. Wayne Bilowit, Los Angeles County Sheriff's Department
Ms. Danielle Higgs, Lobbyist, California State Sheriffs' Association