



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS
770 L Street, Suite 1240 • Sacramento, California 95814-3368
Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

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

March 18, 2014

Hon. Wesley Chesbro
Member of the Assembly
State Capitol, Room 2141
Sacramento, California 95814

Subject: AB 1618 (Chesbro), as amended March 11, 2014 – Support/Sponsor
Hearing: Assembly Judiciary Committee – March 25, 2014

Dear Assembly Member Chesbro:

The Judicial Council is pleased to sponsor AB 1618, which provides tribal entities and officials with access to confidential juvenile court files and records for children who are members of the tribe or eligible for membership in the tribe, and thanks you for authoring the bill. By explicitly including tribes, tribal officials, and tribal entities within the exception to the confidentiality of juvenile court files, the bill will solve a conflict between federal and state law on one side, and juvenile courts on the other.

Under the Federal Indian Child Welfare Act, tribes must be notified in cases related to children who are members, or eligible for membership, in the tribe. There is also a presumption that tribes have jurisdiction over child welfare matters for their children. In conflict with this notification requirement and jurisdictional presumption, California law requires that, with a few specific exceptions, juvenile court files remain confidential and closed to the general public. By explicitly including tribes, tribal officials, and equivalent tribal entities with the exception to confidentiality in Welfare and Institutions Code section 827, this conflict will be resolved, juvenile cases for

Hon. Wesley Chesbro
March 18, 2014
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tribal children will be able to proceed more efficiently, and the best interests of tribal children will be better served.

For these reasons, the Judicial Council thanks you for your leadership on this issue, and is pleased to sponsor AB 1618.

Sincerely,

A handwritten signature in black ink, appearing to be 'A. Herzfeld', written over a faint, stylized graphic that resembles a large, abstract letter 'A' or a signature flourish.

Alan Herzfeld
Associate Attorney

ANH/yc-s

cc: Ms. June Clark, Deputy Legislative Secretary, Office of the Governor



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March 18, 2014

Hon. Bob Wieckowski, Chair
Assembly Judiciary Committee
State Capitol, Room 4016
Sacramento, California 95814

Subject: AB 1618 (Chesbro), as amended March 11, 2014 – Support/Sponsor
Hearing: Assembly Judiciary Committee – March 25, 2014

Dear Assembly Member Wieckowski:

The Judicial Council supports and is sponsoring AB 1618, which provides tribal entities and officials with access to confidential juvenile court files and records for children who are members of the tribe or eligible for membership in the tribe. By explicitly including tribes, tribal officials, and tribal entities within the exception to the confidentiality of juvenile court files, the bill will solve a conflict between federal and state law on one side, and juvenile courts on the other.

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Hon. Bob Wieckowski
March 18, 2014
Page 2

tribal children will be able to proceed more efficiently, and the best interests of tribal children will be better served.

For these reasons, the Judicial Council is sponsoring and supporting AB 1618.

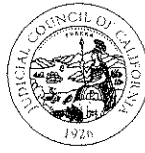
Sincerely,

A handwritten signature in black ink, appearing to read 'AH', with a long, sweeping horizontal stroke extending to the right.

Alan Herzfeld
Associate Attorney

AH/yc-s

cc: Members, Assembly Judiciary Committee
Hon. Wesley Chesbro, Member of the Assembly
Ms. Leora Gershenzon, Counsel, Assembly Judiciary Committee
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor
Mr. Paul Dress, Consultant, Assembly Republican Office of Policy



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CORY T. JASPERSON
Director, Office of Governmental Affairs

May 7, 2014

Hon. Hannah-Beth Jackson, Chair
Senate Judiciary Committee
State Capitol, Room 2187
Sacramento, California 95814

Subject: AB 1618 (Chesbro), as amended March 11, 2014 – Support/Sponsor

Dear Senator Jackson:

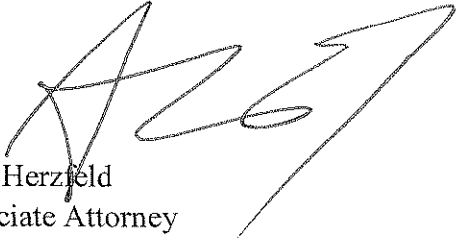
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May 7, 2014
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For these reasons, the Judicial Council is sponsoring and supporting AB 1618.

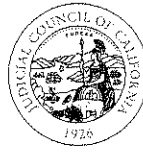
Sincerely,

A handwritten signature in black ink, appearing to read 'A Herzfeld', with a large, stylized flourish extending to the right.

Alan Herzfeld
Associate Attorney

ANH/yc-s

cc: Members, Senate Judiciary Committee
Hon. Wesley Chesbro, Member of the Assembly
Ms. Nichole Rapier, Counsel, Senate Judiciary Committee
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor
Mr. Mike Petersen, Consultant, Senate Republican Office of Policy



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CORY T. JASPERSON
Director, Office of Governmental Affairs

June 18, 2014

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

Subject: AB 1618 (Chesbro) – Request for Signature

Dear Governor Brown:

The Judicial Council is the sponsor of AB 1618, which provides tribal entities and officials with access to confidential juvenile court files and records for children who are members of the tribe or eligible for membership in the tribe. By explicitly including tribes, tribal officials, and tribal entities within the exception to the confidentiality of juvenile court files, the bill will solve a conflict between federal and state law on one side, and juvenile courts on the other.

Under the Federal Indian Child Welfare Act, tribes must be notified in cases related to children who are members, or eligible for membership, in the tribe. There is also a presumption that tribes have jurisdiction over child welfare matters for their children. In conflict with this notification requirement and jurisdictional presumption, California law requires that, with a few specific exceptions, juvenile court files remain confidential and closed to the general public. By explicitly including tribes, tribal officials, and equivalent tribal entities with the exception to confidentiality in Welfare and Institutions Code section 827, this conflict will be resolved, juvenile cases for tribal children will be able to proceed more efficiently, and the best interests of tribal children will be better served.

Hon. Edmund G. Brown, Jr.

June 18, 2014

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For these reasons, the Judicial Council requests your signature on AB 1618.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Herzfeld', with a large, stylized loop at the end.

Alan Herzfeld
Associate Attorney

ANH/yc-s

cc: Hon. Wesley Chesbro, Member of the Assembly

Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor