



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 27, 2009

Hon. Mike Feuer, Chair
Assembly Judiciary Committee
State Capitol, Room 3146
Sacramento, California 95814

Subject: AB 996 (Anderson), as introduced – Opposed

Dear Assembly Member Feuer:

The Judicial Council is opposed to AB 996, which creates a legislative and public expectation to operate on a continuous and ongoing basis, 24 hours per day, seven days per week.

Article VI, section 6, of the California Constitution charges the Judicial Council with the duty to make recommendations to the Governor and Legislature for the improvement of the administration of justice. The council has consistently made recommendations to improve access to the courts a priority, including recommendations to increase the number of new judgeships, to fund to self-help programs, and to provide resources to increase the participation of court interpreters in civil proceedings. However, the council has not made a recommendation that courts provide continuous hours of operations for a variety of reasons, including the significant security and personnel costs that would accrue if this charge were implemented. With the enactment of the Budget Act of 2009, the California judicial branch is severely underfunded. In fiscal year 2009-10, courts will face tremendous challenges as they attempt to

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maintain the existing level of public access to the court system, including offering services at night court. AB 996 creates a legislative and public expectation that courts would move towards continuous operation, despite the lack of state funding to support such an effort. For this reason, the Judicial Council request your "no" vote on AB 996.

Please contact me at (916) 323-3121 or janus.norman@jud.ca.gov, if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Norman', with a long horizontal flourish extending to the right.

Janus L. Norman

Senior Governmental Affairs Analyst

JN/ljb

cc: Members, Assembly Judiciary Committee

Hon. Joel Anderson, Member of the Assembly

Mr. Michael Prosio, Legislative Affairs Secretary, Office of the Governor

Ms. Kirsten Kolpitke, Deputy Director of Legislation, Governor's Office of Planning and Research



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Director, Office of Governmental Affairs

March 27, 2009

Hon. Charles M. Calderon, Chair
Assembly Revenue and Taxation Committee
State Capitol, Room 2117
Sacramento, California 95814

Subject: AB 273 (Anderson), as introduced – Opposed
Hearing: Assembly Revenue and Taxation Committee – April 13, 2008

Dear Assembly Member Calderon:

The Judicial Council is opposed to AB 273, which eliminates the discretion of a Superior Court to determine whether to submit a debtor to the Franchise Tax Board's Court-Order Debt Collection Program.

The enforcement of court orders is recognized as an important element of collection efforts. The prompt, efficient, and effective collection of court-ordered fees, fines, forfeitures, penalties and assessments ensures the appropriate respect for court orders. The council has sponsored three bills to establish guidelines and standards for a statewide comprehensive program for the enhanced collection of fines, fees and penalties imposed by court order.

In 2003, the council sponsored SB 940 (Stats. 2003, ch. 275), which required the council to form the Collaborative Court-County Working Group to assist the council in the adoption of guidelines for a comprehensive collection program. SB 940 also authorized courts and counties

Hon. Charles M. Calderon

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to create collaborative collection programs to implement the council's guidelines. The council built upon SB 940 by sponsoring SB 246 (Stats. 2004, ch. 380) authorizing a superior court to submit claims to the Franchise Tax Board and revising the components of county-court comprehensive programs to collect court-ordered debt. Lastly, the council sponsored AB 367 (Stats 2007, ch. 132) which, among other things, required the development of performance measures and benchmarks to review the effectiveness of the cooperative superior court and county collection programs.

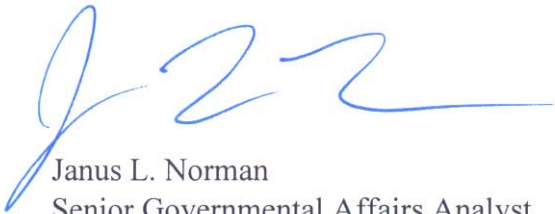
Assembly Bill 273 runs counter to the policy direction established by the Judicial Council. The underlying aim of the council's effort to create guidelines and standards for the collection of court-ordered debt was to encourage uniformity and standardization of collection efforts based on accepted best practices. In contrast, AB 273 would create separate standards and requirements for court collection programs and county collection programs.

Secondly, AB 273 would reduce the effectiveness of the Franchise Tax Board's court-ordered debt program by requiring the program to focus on debts that are less than \$100. Requiring the Board to re-focus their efforts on minimal amounts is an ineffective use of existing state resources.

For this reason, the Judicial Council requests your "no" vote on AB 273.

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cc: Members, Assembly Revenue and Taxation Committee

Hon. Joel Anderson, Member of the Assembly

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March 27, 2009

Hon. Joel Anderson
Member of the Assembly
State Capitol, Room 2130
Sacramento, California 95814

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Dear Assembly Member Anderson:

The Judicial Council is opposed to AB 996, which creates a legislative and public expectation to operate on a continuous and ongoing basis, 24 hours per day, seven days per week.

Article VI, section 6, of the California Constitution charges the Judicial Council with the duty to make recommendations to the Governor and Legislature for the improvement of the administration of justice. The council has consistently made recommendations to improve access to the courts a priority, including recommendations to increase the number of new judgeships, to fund to self-help programs, and to provide resources to increase the participation of court interpreters in civil proceedings. However, the council has not made a recommendation that courts provide continuous hours of operations for a variety of reasons, including the significant security and personnel costs that would accrue if this charge were implemented.

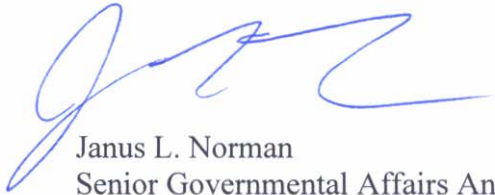
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Hon. Joel Anderson
March 27, 2009
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For this reason, the Judicial Council opposes AB 996.

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Janus L. Norman
Senior Governmental Affairs Analyst

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In 2003, the council sponsored SB 940 (Stats. 2003, ch. 275), which required the council to form the Collaborative Court-County Working Group to assist the council in the adoption of guidelines for a comprehensive collection program. SB 940 also authorized courts and counties to create collaborative collection programs to implement the council's guidelines. The council built upon SB 940 by sponsoring SB 246 (Stats. 2004, ch. 380) authorizing a superior court to submit claims to the Franchise Tax Board and revising the components of county-court comprehensive programs to collect court-ordered debt. Lastly, the council sponsored AB 367 (Stats 2007, ch. 132), which among other things,

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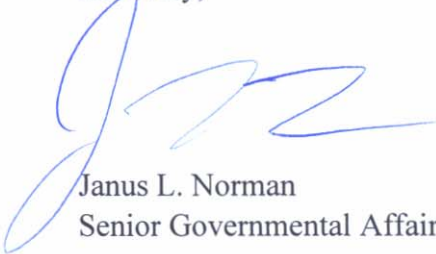
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