



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS

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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 4, 2010

Hon. Bill Monning
Member of the Assembly
State Capitol, Room 6005
Sacramento, California 95814

Subject: AB 1894 (Monning), as amended, April 15, 2010 - Support

Dear Assembly Member Monning:

The Judicial Council supports AB 1894, which extends, for civil cases only, the time period for moving to disqualify a judge under section 170.6 of the Code of Civil Procedure from 10 to 15 days and requires the moving party to notify all other parties within 5 days of making the motion.

Recent legislation seeking changes to section 170.6 has been quite contentious between members of the bench and the bar. However, the Judicial Council is pleased to support AB 1894 because it believes that making the timeline uniform for bringing a 170.6 motion in civil cases makes sense, especially since the 15-day timeline currently applies in most jurisdictions throughout the state. The council also believes that codifying the requirement of the moving party to give notice to all other parties in the case is a good addition that will help clarify the law in this area. The Judicial Council also very much appreciates your leadership on this issue and your support of the efforts of the sponsor to work cooperatively with us and the defense bar on these modest improvements to the disqualification statute. AB 1894 will help avoid confusion regarding the use of section 170.6, which should assist both litigants and the courts in the handling of these matters.

For these reasons, the Judicial Council supports AB 1894.

Sincerely,

Daniel Pone
Senior Attorney

DP/ljb

cc: Ms. Paloma Perez, Associate Legislative Counsel, Consumer Attorneys of California
Ms. Nancy Peverini, Senior Legislative Counsel, Consumer Attorneys of California
Mr. Mike Belote, Lobbyist, California Defense Counsel
Mr. Aaron Maguire, Deputy Legislative Affairs Secretary, Office of the Governor
Ms. Kirsten Kolpitcke, Deputy Director of Legislation, Governor's Office of Planning and Research



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June 10, 2010

Hon. Ellen Corbett, Chair
Senate Judiciary Committee
State Capitol, Room 5108
Sacramento, California 95814

Subject: AB 1894 (Monning), as amended April 15, 2010 - Support
Hearing: Senate Judiciary Committee – June 22, 2010

Dear Senator Corbett:

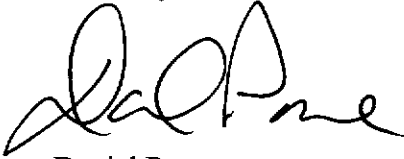
The Judicial Council supports AB 1894, which extends, for civil cases only, the time period for moving to disqualify a judge under section 170.6 of the Code of Civil Procedure from 10 to 15 days and requires the moving party to notify all other parties within 5 days of making the motion.

Recent legislation seeking changes to section 170.6 has been quite contentious between members of the bench and the bar. However, the Judicial Council is pleased to support AB 1894 because it believes that making the timeline uniform for bringing a 170.6 motion in civil cases makes sense, especially since the 15-day timeline currently applies in most jurisdictions throughout the state. The council also believes that codifying the requirement of the moving party to give notice to all other parties in the case is a good addition that will help clarify the law in this area. The Judicial Council also very much appreciates the author's leadership on this issue and his support of the efforts of the sponsor to work cooperatively with us and the defense bar on these improvements to the disqualification statute. AB 1894 will help avoid confusion regarding the use of section 170.6, which should assist both litigants and the courts in the handling of these matters.

Hon. Ellen Corbett
June 10, 2010
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For these reasons, the Judicial Council supports AB 1894.

Sincerely,

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

Daniel Pone
Senior Attorney

DP/ljb

cc: Members, Senate Judiciary Committee

Hon. Bill Monning, Member of the Assembly

Ms. Paloma Perez, Associate Legislative Counsel, Consumer Attorneys of California

Ms. Nancy Peverini, Senior Legislative Counsel, Consumer Attorneys of California

Mr. Mike Belote, Lobbyist, California Defense Counsel

Ms. Saskia Kim, Chief Counsel, Senate Judiciary Committee

Mr. Aaron Maguire, Deputy Legislative Affairs Secretary, Office of the Governor

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

Mr. Mike Petersen, Consultant, Senate Republican Office of Policy



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Administrative Director of the Courts

RONALD G. OVERHOLT
Chief Deputy Director

CURTIS L. CHILD
Director, Office of Governmental Affairs

August 5, 2010

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

Subject: AB 1894 (Monning) – Request for Signature

Dear Governor Schwarzenegger:

The Judicial Council supports AB 1894, which extends, for civil cases only, the time period for moving to disqualify a judge under section 170.6 of the Code of Civil Procedure from 10 to 15 days and requires the moving party to notify all other parties within 5 days of making the motion.

Recent legislation seeking changes to section 170.6 has been quite contentious between members of the bench and the bar. However, the Judicial Council is pleased to support AB 1894 because it believes that making the timeline uniform for bringing a 170.6 motion in civil cases makes sense, especially since the 15-day timeline currently applies in most jurisdictions throughout the state. The council also believes that codifying the requirement of the moving party to give notice to all other parties in the case is a good addition that will help clarify the law in this area. AB 1894 will help avoid confusion regarding the use of section 170.6, which should assist both litigants and the courts in the handling of these matters.

For these reasons, the Judicial Council requests your signature on AB 1894.

Sincerely,

Daniel Pone
Senior Attorney

DP/ljb

cc: Hon. Bill Monning, Member of the Assembly
Ms. Paloma Perez, Associate Legislative Counsel, Consumer Attorneys of California
Ms. Nancy Peverini, Senior Legislative Counsel, Consumer Attorneys of California
Mr. Mike Belote, Lobbyist, California Defense Counsel
Mr. Aaron Maguire, Deputy Legislative Affairs Secretary, Office of the Governor
Ms. Kirsten Kolpitke, Deputy Director of Legislation, Governor's Office of Planning and Research