



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

May 29, 2008

Hon. Ellen Corbett, Chair
Senate Judiciary Committee
State Capitol, Room 3092
Sacramento, California 95814

Subject: AB 225 (Beall), as amended May 21, 2008 - Support
Hearing: Senate Judiciary Committee – June 10, 2008

Dear Senator Corbett:

The Judicial Council supports AB 225, which re-enacts, as of January 1, 2010, the elder abuse protective orders statute, and expands its scope to: (1) allow the court, in its discretion, on a showing of good cause, to extend the protection to include the petitioner's named family or household members, as well as the petitioner's conservator; and, (2) provide that when a person named in a protective order has not been served personally with the order but has received actual notice of the existence and substance of the order through personal appearance in court to hear the terms of the order from the court, no additional proof of service is required for enforcement of the order. AB 225 also provides that a petitioner shall not be required to pay a fee for law enforcement to serve a protective order issued pursuant to the bill's provisions.

The Judicial Council supports the changes in AB 225, which are consistent with similar provisions of the Domestic Violence Prevention Act. Family Code section 6320 allows the court to protect other family and household members when it finds good cause to do so, and Family Code section 6384 mirrors the proof of service provisions contained in AB 225. These changes will enhance the ability of the court to issue enforceable and effective elder abuse protective

Hon. Ellen Corbett, Chair

May 29, 2008

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orders by ensuring that the orders protect all members of the protected person's household or family as necessary, including conservators. AB 225 also clarifies what is required to demonstrate proof of service of an order so that enforcement can commence immediately if the parties were present at the hearing on the order, or allow service by mail of the order after hearing if its terms are identical to the temporary restraining order.

Enhancing consistency across protective order requirements will improve public understanding of this critical area of the law, and bolster public trust and confidence in the courts by ensuring that similar case types are handled similarly by the court.

For these reasons, the Judicial Council supports AB 225.

Sincerely,

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

Daniel Pone
Senior Attorney

DP/op

cc: Members, Senate Judiciary Committee
Hon. Jim Beall, Jr., Member of the Assembly
Ms. Gloria Ochoa, Deputy Chief Counsel, Senate Judiciary Committee
Mr. Mike Petersen, Consultant, Senate Republican Office of Policy
Mr. Chris Ryan, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Brent Jamison, Director of Legislation, Governor's Office of Planning and Research



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Director, Office of Governmental Affairs

August 12, 2008

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

Subject: AB 225 (Beall) – Request for Signature

Dear Governor Schwarzenegger:

The Judicial Council supports AB 225, which re-enacts, as of January 1, 2010, the elder abuse protective orders statute, and expands its scope to: (1) allow the court, in its discretion, on a showing of good cause, to extend the protection to include the petitioner's named family or household members, as well as the petitioner's conservator; and, (2) provide that when a person named in a protective order has not been served personally with the order but has received actual notice of the existence and substance of the order through personal appearance in court to hear the terms of the order from the court, no additional proof of service is required for enforcement of the order. AB 225 also provides that a petitioner shall not be required to pay a fee for law enforcement to serve a protective order issued pursuant to the bill's provisions.

The Judicial Council supports the changes in AB 225, which are consistent with similar provisions of the Domestic Violence Prevention Act. Family Code section 6320 allows the court to protect other family and household members when it finds good cause to do so, and Family Code section 6384 mirrors the proof of service provisions contained in AB 225. These changes will enhance the ability of the court to issue enforceable and effective elder abuse protective orders by ensuring that the orders protect all members of the protected person's household or family as necessary, including conservators. AB 225 also clarifies what is required to demonstrate proof of service of an order so that enforcement can commence immediately if the

Hon. Arnold Schwarzenegger

August 12, 2008

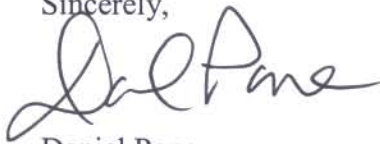
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parties were present at the hearing on the order, or allow service by mail of the order after hearing if its terms are identical to the temporary restraining order.

Enhancing consistency across protective order requirements will improve public understanding of this critical area of the law, and bolster public trust and confidence in the courts by ensuring that similar case types are handled similarly by the court.

For these reasons, the Judicial Council requests your signature on AB 225.

Sincerely,

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

Daniel Pone
Senior Attorney

DP/ljb

cc: Hon. Jim Beall, Jr., Member of the Assembly

Mr. Chris Ryan, Deputy Legislative Affairs Secretary, Office of the Governor

Mr. Brent Jamison, Director of Legislation, Governor's Office of Planning and Research