



## JUDICIAL COUNCIL OF CALIFORNIA

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*

MARTIN HOSHINO  
*Administrative Director*

CORY T. JASPERSON  
*Director, Governmental Affairs*

May 9, 2016

Hon. Bill Dodd  
Member of the Assembly  
State Capitol, Room 2137  
Sacramento, California 95814

Subject: AB 1962 (Dodd), as amended March 30, 2016 – Support, if amended

Dear Assembly Member Dodd:

The Judicial Council is pleased to support AB 1962, which requires the Department of State Hospitals to adopt guidelines establishing education and training standards for a psychiatrist or licensed psychologist to be considered by the court for appointment to conduct mental competence examinations. However, as explained more fully below, the council's support for AB 1962 is contingent upon the bill being amended to clarify that the court retains the discretion to depart from the guidelines, if necessary, in appointing such experts.

The Judicial Council appreciates your commitment to a collaborative approach with AB 1962 that involves the council and other interested stakeholder organizations in an effort to improve the quality of court-ordered mental competence examinations in cases where a defendant's competence to stand trial is at issue. However, the Judicial Council believes that the guidelines should not be binding on the courts. There may be circumstances in individual counties where there are not any psychiatrists or psychologists available that meet all of the criteria under the new guidelines. The council also contemplates situations where a proposed expert may meet

Hon. Bill Dodd

May 9, 2016

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some, but not all of the new education and training standards, but has comparable experience that merits appointment as an expert in the individual case at issue.

For these reasons, the Judicial Council believes that the bill should be amended to clarify that the judicial officer retains his or her discretion in individual cases to appoint an expert whether or not the person meets the guidelines established under the bill. With the addition of such an amendment, the Judicial Council would be in full support of AB 1962.

Please feel free to contact me if you have any questions.

Sincerely,



Daniel Pone  
Attorney

DP/ka

cc: Mr. Jerome McGuire, Counsel, Senate Public Safety Committee  
Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor  
Mr. Martin Hoshino, Administrative Director, Judicial Council of California



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*Director, Governmental Affairs*

June 7, 2016

Hon. Bill Dodd  
Member of the Assembly  
State Capitol, Room 2137  
Sacramento, California 95814

Subject: AB 1962 (Dodd), as amended June 6, 2016 – Support

Dear Assembly Member Dodd:

The Judicial Council is pleased to support AB 1962, which would require the Department of State Hospitals, on or before July 1, 2017, to adopt guidelines for education and training standards for a psychiatrist or licensed psychologist to be considered for appointment by the court to conduct specified mental competence examinations. The Judicial Council appreciates your commitment to a collaborative approach with AB 1962 that involves the council and other interested stakeholder organizations in an effort to improve the quality of court-ordered mental competence examinations in cases where a defendant's competence to stand trial is at issue. The council also appreciates the most recent amendments to the bill which clarify that the court retains the discretion to depart from the guidelines in making such appointments in cases where there is no reasonably available expert who meets the guidelines or has equivalent experience and skills.

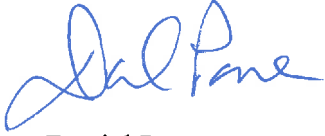
Hon. Bill Dodd

June 7, 2016

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For these reasons, the Judicial Council supports AB 1962.

Sincerely,

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

Daniel Pone

Attorney

DP/ka

cc: Mr. Jerome McGuire, Counsel, Senate Public Safety Committee  
Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor  
Mr. Martin Hoshino, Administrative Director, Judicial Council of California



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CORY T. JASPERSON  
*Director, Governmental Affairs*

June 8, 2016

Hon. Loni Hancock, Chair  
Senate Public Safety Committee  
State Capitol, Room 2082  
Sacramento, California 95814

Subject: AB 1962 (Dodd), as amended June 6, 2016 – Support  
Hearing: Senate Public Safety Committee – June 21, 2016

Dear Senator Hancock:

The Judicial Council is pleased to support AB 1962, which would require the Department of State Hospitals, on or before July 1, 2017, to adopt guidelines for education and training standards for a psychiatrist or licensed psychologist to be considered for appointment by the court to conduct specified mental competence examinations. The Judicial Council appreciates the collaborative approach embraced by the bill which involves the council and other interested stakeholder organizations in an effort to improve the quality of court-ordered mental competence examinations in cases where a defendant's competence to stand trial is at issue. The council also appreciates the author's agreement to amend the bill to clarify that the court retains the discretion to depart from the guidelines in making such appointments in cases where there is no reasonably available expert who meets the guidelines or has equivalent experience and skills.

Hon. Loni Hancock

June 8, 2016

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For these reasons, the Judicial Council supports AB 1962.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Cory Jasperson', with a long, sweeping horizontal line extending to the right.

Cory T. Jasperson

Director, Governmental Affairs

CTJ/ka

cc:   Members, Senate Public Safety Committee  
      Hon. Bill Dodd, Member of the Assembly  
      Mr. Jerome McGuire, Counsel, Senate Public Safety Committee  
      Mr. Eric Csizmar, Consultant, Senate Republican Caucus  
      Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor  
      Mr. Martin Hoshino, Administrative Director, Judicial Council of California



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*Administrative Director*

CORY T. JASPERSON  
*Director, Governmental Affairs*

August 26, 2016

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

Subject: AB 1962 (Dodd) – Request for signature

Dear Governor Brown:

The Judicial Council is pleased to support AB 1962, which would require the Department of State Hospitals, on or before July 1, 2017, to adopt guidelines for education and training standards for a psychiatrist or licensed psychologist to be considered for appointment by the court to conduct specified mental competence examinations. The Judicial Council appreciates the collaborative approach embraced by the bill which involves the council and other interested stakeholder organizations in an effort to improve the quality of court-ordered mental competence examinations in cases where a defendant's competence to stand trial is at issue. The council also appreciates the author's agreement to amend the bill to clarify that the court retains the discretion to depart from the guidelines in making such appointments in cases where there is no reasonably available expert who meets the guidelines or has equivalent experience and skills. AB 1962 should help improve the quality of examinations and expert testimony in cases where a defendant's competency to stand trial is at issue.

Hon. Edmund G. Brown, Jr.

August 26, 2016

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For these reasons, the Judicial Council requests your signature on AB 1962.

Sincerely,

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

Laura E. Speed  
Principal Manager

LES/ka

cc: Mr. Daniel Seeman, Deputy Legislative Affairs Secretary, Office of the Governor  
Mr. Martin Hoshino, Administrative Director, Judicial Council of California