



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

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MEMORANDUM

Date	Action Requested
October 17, 2013	N/A
To	Deadline
Hon. Tani Cantil-Sakauye	N/A
Members of the Policy Coordination and Liaison Committee	Contact
Hon. Steven Jahr	Laura Speed, 916-323-3121
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From	
Cory T. Jasperson, Director	
Subject	
Status of 2013 Legislation considered by the Policy Coordination and Liaison Committee—FINAL	

Following is the final status report on 2013 legislation considered by the Judicial Council's Policy Coordination and Liaison Committee (PCLC) during the 2013-2014 legislative session. The bills are listed in numerical order by house (Assembly and Senate) and are indexed by subject matter. The second column, "description" summarizes the relevant portions of the bill—and the version of the bill—on which the PCLC position is based. The description column also includes an updated summary to reflect the most current version of the bill. The "Judicial Council position" column tracks the council's initial position and any subsequent change to that position.

The text of all versions of a bill, committee analyses, vote information, history, and bill status can be found on the Legislature's website (including past session information) at:
<http://leginfo.legislature.ca.gov/faces/billSearchClient.xhtml>

JUDICIAL COUNCIL OF CALIFORNIA
Policy Coordination and Liaison Committee Action on 2013 Legislation
and Status of Bills

Judicial Council-sponsored Legislation (See Appendix)

AB 619 (Garcia) – Court facilities.....	A
AB 648 (Jones-Sawyer) – Court reporters.....	A
AB 1004 (Gray) – Crimes: electronic arrest warrants.....	A
AB 1293 (Bloom) – Courts: efficiencies.....	B
AB 1352 (Levine) – Courts: destruction of court records.....	B
SB 378 (Block) – Official record of conviction: admissibility of electronically digitized copy.....	B
SB 406 (Evans) – Tribal Court Civil Judgment Act.....	C

Legislation Index by Subject

<u>Appellate</u>		AB 765 (Ammiano) – Sentencing	5
AB 756 (Melendez) – California Environmental Quality Act: judicial review: public works projects	5	AB 805 (Jones-Sawyer) – Bail	6
<u>Civil and Small Claims</u>		AB 807 (Ammiano) – Criminal investigations: eye witness identification	6
AB 515 (Dickinson) – Environmental quality: California Environmental Quality Act: judicial review	2	AB 1004 (Gray) – Crimes: electronic arrest warrants	7
AB 1008 (Torres) – Civil procedure: judges	7	AB 1131 (Skinner) – Firearms	8
AB 1167 (Dickinson) – Court records: electronic forms	8	AB 1296 (Skinner) – Firearms	9
SB 123 (Corbett) – Environmental and Land Use Court	10	SB 260 (Hancock) – Sentencing	11
SB 233 (Leno and Correa) – Debt buying	10	SB 378 (Block) – Official record of conviction: admissibility of electronically digitized copy	11
SB 406 (Evans) – Tribal Court Civil Judgment Act	12	SB 419 (Block) – Flash incarceration	12
SB 743 (Steinberg) – Environmental quality: judicial review streamlining for environmental leadership development projects and entertainment and sports center in the City of Sacramento	14	SB 513 (Hancock) – Diversion programs: sealed records	12
<u>Court Facilities, Employees, Administration, and Technology</u>		SB 530 (Wright) – Criminal offenders: reemployment	13
AB 566 (Wieckowski) – Courts: personal services contracting	3	SB 569 (Lieu) – Interrogations: electronic recordation	13
AB 619 (Garcia) – Court facilities	4	SB 717 (DeSaulnier) – Search warrants: driving under the influence	14
AB 648 (Jones-Sawyer) – Court reporters	4	SB 794 (Evans) – Peremptory challenges	15
AB 655 (Quirk-Silva) – Court reporters: salary fund	5	<u>Judicial Officers</u>	
AB 1127 (Chau) – Legal aid: court interpreters	7	AB 1313 (Donnelly) – Judgeships: allocation	9
AB 1293 (Bloom) – Courts: efficiencies	8	AB 1403 (Committee on Judiciary) – Judicial officers: subordinate judicial officers	9
AB 1352 (Levine) – Courts: destruction of court records	9	<u>Juries</u>	
SB 597 (Lara) – Legal aid: court interpreters	14	AB 301 (Wagner) – Affidavits of registration: cancellation	1
<u>Criminal Law and Procedure</u>		<u>Juvenile Delinquency</u>	
AB 36 (Dahle) – Probation officer: appointments	1	AB 1006 (Yamada) – Juvenile court records: sealing and destruction	7
AB 492 (Quirk) – Probation: nonviolent drug offenses	1	<u>Juvenile Dependency</u>	
AB 560 (Ammiano) – Sentencing: mandatory supervision	2	AB 787 (Stone) – Foster care	6
AB 568 (Muratsuchi) – Criminal procedure: testimony of law enforcement officers	3	AB 868 (Ammiano) – Courts: training programs: gender identity and sexual orientation	6
AB 604 (Ammiano) – Eyewitness identification	4	<u>Traffic</u>	
AB 651 (Bradford) – Convictions: expungement	4	AB 1118 (Hagman) – Statewide bail schedule	7
AB 723 (Quirk) – Postrelease community supervision: revocation: release on bail	5	SB 366 (Wright) – Traffic fines: ability to pay	11

JUDICIAL COUNCIL OF CALIFORNIA
Policy Coordination and Liaison Committee Action on 2013 Legislation
and Status of Bills

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 16, 2013
AB 36 (Sharon Reilly)	<p>AB 36 (Dahle) – Probation officer: appointments</p> <p>As amended February 26, 2013</p> <p>Requires the county board of supervisors (board), in conjunction with the presiding judge of that county, to appoint, and authorizes the board to remove, for good cause, the adult probation officer. Provides, in a county where the superior court has more than two judges, that the board, in conjunction with a majority of the judges, makes the appointments and authorizes the board to effect the removal of the adult probation officer. Requires the board to, by ordinance, direct the manner in which a probation officer in any county is nominated by the juvenile justice commission or the regional justice commission, and requires the board of supervisors, in conjunction with the judge of the juvenile court, to appoint the probation officer.</p>	Oppose, courts need the ability to appoint Chief Probation Officers.	Author	<p>Assembly Public Safety Committee</p> <p>2-year bill</p>
AB 301 (Sharon Reilly)	<p>AB 301 (Wagner) – Affidavits of registration: cancellation</p> <p>As amended March 11, 2013</p> <p>Requires the clerk of the superior court to include, in statements reporting individuals convicted of felonies to the chief elections official in its respective county, the name, address, and date of birth of each person who has, since the clerk’s last statement, declared in response to a jury summons from the superior court, that he or she is not qualified to serve as a juror, because he or she is not a citizen of the United States. Requires the elections official to cancel the affidavit of registration of each person so listed by the clerk.</p>	Oppose, it places new burdens on courts relating to voters—a matter not within the purview of courts.	Author	<p>Assembly Judiciary Committee</p> <p>2-year bill</p>
AB 492 (Sharon Reilly)	<p>AB 492 (Quirk) – Probation: nonviolent drug offenses</p> <p>As introduced</p> <p>Requires transferring courts to make the determination of the probationer’s county of residence for Proposition 36 probation cases.</p>	Support	Chief Probation Officers of California	Signed into law (Stats. 2013, ch. 13)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 16, 2013
AB 515 (Daniel Pone)	<p>AB 515 (Dickinson) – Environmental quality: California Environmental Quality Act: judicial review</p> <p>As introduced Mandates the creation of at least two (2) California Environmental Quality Act (CEQA) compliance court districts within the state, with the appropriate boundaries for the districts and locations for siting the CEQA compliance courts to be determined by rule of court. Establishes a CEQA compliance court in every district, consisting of at least three (3) judges. Requires the Governor to appoint judges to the CEQA compliance court based upon their expertise in CEQA and related land use and environmental laws, so that those judges will be able to hear and quickly resolve those actions or proceedings. Requires the Chief Justice of California to designate one of the judges of each CEQA compliance court district as the presiding judge of that district. Gives the CEQA compliance court jurisdiction over actions or proceedings involving CEQA, as well as joined matters involving related land use and environmental laws. Provides that decisions of the CEQA compliance court may be appealed only to the California Supreme Court. Requires the CEQA compliance court to issue a preliminary decision before the opportunity for oral argument is granted. Provides that if the CEQA compliance court finds that a determination of a public agency violated CEQA, the court order must specify what action taken by the public agency was in error.</p> <p>UPDATE: As amended March 11, 2013 <i>Mandates the creation of new California Environmental Quality Act (CEQA) compliance court divisions of the superior court in specified counties and vests these divisions with original jurisdiction over actions or proceedings brought pursuant to CEQA and joined matters related to land use and environmental laws. Requires a CEQA compliance division judge to issue a preliminary decision in each of these cases before the opportunity for oral argument is granted. Requires the Judicial Council to adopt rules for establishing, among other things, protocols to govern the administration and efficient operation of the divisions, so that those judges assigned to the divisions will be able to hear and quickly resolve those actions or proceedings.</i></p>	<p>Oppose, courts need the flexibility to manage their own calendars and the Court of Appeal is not designed to be the court of first resort.</p> <p>UPDATE: <i>As amended March 11, 2013</i> <i>Oppose, but direct staff to continue discussions with the author to explore possible alternatives that are more workable for the courts.</i></p>	Author	<p>Assembly Judiciary Committee</p> <p>2-year bill</p>
AB 560 (Sharon Reilly)	<p>AB 560 (Ammiano) – Sentencing: mandatory supervision</p> <p>As amended March 21, 2013 Requires, instead of authorizes, courts to impose a split sentence with a minimum of six months of mandatory supervision in every felony case resulting in a county jail term. Authorizes the court, when a defendant is sentenced to county jail, to, upon its own motion or upon the recommendation of the sheriff, recall the sentence and resentence the defendant, provided the new sentence is no greater than the initial sentence (paralleling the process in current law relating to state prison sentences).</p>	Oppose unless amended; support if amended to remove the provision requiring judges to impose split sentences with a minimum of six months mandatory supervision in every eligible case.	Author	<p>Assembly Appropriations Committee</p> <p>2-year bill</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 16, 2013
AB 566 (Cory Jaspersen)	<p>AB 566 (Wieckowski) – Courts: personal services contracting</p> <p>As amended April 15, 2013 Adds to the Trial Court Employment Protection and Governance Act (Gov. Code, § 71600 et seq.) restrictions on a trial court’s ability to contract out for personal services. Among other things, requires courts to clearly demonstrate actual cost savings for the duration of the contract and award contracts through competitive bidding processes, while also not allowing courts to approve contracts solely because savings will be achieved through lower contractor pay rates or if the contract results in the displacement of any trial court employee.</p> <p><i>UPDATE: As amended September 11, 2013</i> <i>Excludes from its prohibition on contracting (1) contracts between trial courts, contracts between trial courts and government entities, (2) contracts for new trial court functions if the Legislature has specifically mandated or authorized the performance of the services by independent contractors; (3) services of such a highly specialized or technical nature that the necessary expert knowledge, experience, and ability cannot be obtained from the court’s trial court employees; (4) services incidental to a contract for the purchase or lease of real or personal property (but not to operate equipment or computers); (5) services for which the legislative, administrative, or legal goals and purposes cannot be accomplished through trial court employees due to a conflict of interest or to ensure independent an unbiased finding; (6) services needed due to an emergency for the immediate preservation of the public health, welfare, or safety; (7) services where the contractor will conduct training courses for which appropriately qualified trial court employee instructors are not available; (8) services of such an urgent, temporary, or occasional nature that the delay resulting from hiring trial court employees would frustrate their very purposes; (9) service contracts developed pursuant to rehabilitation programs in accordance with specific provisions of the Welfare and Institutions Code; and (10) services of court interpreters. Senate floor amendments expanded the bill to restrict contracts for any services “historically performed” by trial court employees.</i></p>	<p>Oppose, but direct staff to continue discussions with the author to explore possible alternatives that are more workable for the courts. Significantly impairs the trial courts’ ability to manage their staff and resources.</p> <p>UPDATE: <i>As amended September 11, 2013</i> <i>Oppose but continue discussions with author to explore possible alternatives and additional amendments that are workable for the trial courts.</i></p>	<p>American Federation of State, County and Municipal Employees and State Employees (AFSCME) and Service Employees International Union (SEIU)</p>	<p>Vetoed</p>
AB 568 (Sharon Reilly)	<p>AB 568 (Muratsuchi) – Criminal procedure: testimony of law enforcement officers</p> <p>As introduced Provides, for purposes of introducing hearsay statements at a preliminary hearing, that allowances for testimony of a law enforcement officer extend to nontraditional law enforcement officers.</p>	<p>Support</p>	<p>Los Angeles County District Attorney’s Office</p>	<p>Signed into law (Stats. 2013, ch. 125)</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 16, 2013
AB 604 (Sharon Reilly)	<p>AB 604 (Ammiano) – Eyewitness identification</p> <p>As amended September 11, 2013 Among other things, requires, when law enforcement has adopted procedures for conducting photo and live lineups with eye witnesses, that courts give jury instructions about those procedures that are substantially similar to instructions set forth in the bill.</p> <p>UPDATE: As amended September 11, 2013 <i>Strikes existing contents and instead enacts the Medical Cannabis Regulation Control Act, to among other things, grant the Department of Alcoholic and Beverage Control the exclusive power to regulate the sale of medical cannabis.</i></p>	<p>Oppose the provision requiring courts to give specified jury instructions. No position on the remaining provisions.</p> <p>UPDATE: <i>As amended September 11, 2013</i> <i>No position</i></p>	<p>American Civil Liberties Union and California Public Defenders Association</p>	<p>Senate Public Safety Committee</p> <p>2-year bill</p>
AB 619 (Andi Liebenbaum)	<p>AB 619 (Garcia) – Court facilities</p> <p>As introduced Revises the formula for assessing interest and penalties for delinquent payments to the State Court Facilities Construction Fund. Makes this provision consistent with statute governing interest and penalties for late payments to the Trial Court Trust Fund. Authorizes the Controller to permit a county, city and county, or court to pay the interest or penalty amounts under a payment schedule if the interest or penalty amount causes a hardship to that entity.</p> <p>[NOTE: This bill contains one of the 6 efficiency proposals approved for Judicial Council-sponsorship in April 2013.]</p>	<p>Sponsor</p>	<p>Judicial Council and State Association of County Auditors</p>	<p>Signed into law (Stats. 2013, ch. 452)</p>
AB 648 (Cory Jaspersen)	<p>AB 648 (Jones-Sawyer) – Court reporters</p> <p>As amended September 6, 2013 Provides necessary cleanup to the newly enacted \$30 court reporter fee. Specifically: (1) clarifies that the fee is for proceedings lasting one hour or less; (2) clarifies that the moving party is responsible for the fee; (3) authorizes the court to collect the fee at a time specified by the court, but not later than the conclusion of each day’s court session; (4) specifies that the fee is refundable only if the court fails to provide a court reporter at the scheduled hearing (if the parties take the matter off calendar, the fee does not get refunded); (5) specifies that the fee will be charged once per case for all proceedings conducted within the same hour; (6) states that the fee shall be waived for parties that have been granted a fee waiver; and (7) provides that the funds shall be deposited in the Trial Court Trust Fund and then returned to the court in which the funds were collected.</p>	<p>Sponsor</p>	<p>Judicial Council</p>	<p>Signed into law (Stats. 2013, ch. 454)</p>
AB 651 (Sharon Reilly)	<p>AB 651 (Bradford) – Convictions: expungement</p> <p>As amended September 3, 2013 Authorizes courts, in their discretion and in the interest of justice, to grant dismissals (commonly referred to as “expungements”) for eligible petitioners who were convicted of a felony and sentenced to jail upon a petition for a change of plea or setting aside of a verdict.</p>	<p>Oppose, interferes with court’s discretion to provide incentives to individuals convicted of crimes to opt for probation or split sentences.</p>	<p>ACLU of California, East Bay Community Law Center, and Lawyers Committee for Civil Rights of the San Francisco Bay Area</p>	<p>Signed into law (Stats. 2013, ch. 787)</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 16, 2013
AB 655 (Cory Jaspersen)	<p>AB 655 (Quirk-Silva) – Court reporters: salary fund</p> <p>As introduced Authorizes each trial court to establish a Reporters’ Salary Fund. Requires salaries and benefits of official court reporters to be paid from the Reporters’ Salary Fund. Requires fees for reporting services payable by law to be paid to the clerk of the court, who must deposit them into the Reporters’ Salary Fund. Requires fees for transcription of testimony and proceedings in the court to be paid by the parties to the official reporters. Requires where the court directs payment of transcription fees out of the Trial Court Operations Fund, that the fee be paid from the Reporters’ Salary Fund, except for felony cases, in which the fees must be paid out of the Trial Court Operations Fund. Requires the court to set aside, from court revenue, a specified amount of money to be placed in a revolving fund. Requires the court, at the time it makes its monthly distribution of revenue to appropriate state or county funds, to deduct proportionately and deposit into the Reporters’ Salary Fund, an amount sufficient to bring the fund’s remaining balance up to the previously specified amount. Requires that, if the fund balance is at any time below the mandated balance, the deficiency must be made up by deposits from the Trial Court Operations Fund for that court.</p> <p>UPDATE: As amended June 14, 2013 <i>Creates the general authority for trial courts to establish a Reporters’ Salary Fund, which shall be a revolving fund, to be used solely to contribute to the salaries and benefits of official court reporters.</i></p>	<p>Oppose, places pressure on the trial courts to create a special fund that needlessly treats a particular class of employees differently.</p> <p>UPDATE: As amended June 14, 2013 <i>Oppose</i></p>	California Court Reporters Association	Senate Appropriations Committee 2-year bill
AB 723 (Sharon Reilly)	<p>AB 723 (Quirk) – Postrelease community supervision: revocation: release on bail</p> <p>As amended July 2, 2013 Allows a person on postrelease community supervision (PRCS) who has a revocation petition filed against him or her to file an application for bail or release on his or her own recognizance with the superior court. Provides that it is within the sole discretion of the court to admit a person to bail pending revocation of PRCS. States that a bail application will be governed by the procedures set forth in existing provisions of law governing bail. Specifies that a court is not prohibited from making any order authorized by existing provisions of law governing bail.</p>	Oppose, will greatly increase the number of PRCS bail hearings.	American Bail Association	Senate Appropriations Committee—Suspense file. 2-year bill
AB 756 (Daniel Pone)	<p>AB 756 (Melendez) – California Environmental Quality Act: judicial review: public works projects</p> <p>As amended April 11, 2013 Expands the recently-enacted expedited judicial review procedures in AB 900 (Stats. 2011, ch. 354) to public works projects, as defined.</p>	Oppose, appellate courts are not designed for this process, and it’s an inefficient use of judicial resources.	Author	Assembly Judiciary Committee 2-year bill
AB 765 (Sharon Reilly)	<p>AB 765 (Ammiano) – Sentencing</p> <p>As amended March 19, 2013 Provides that, effective January 1, 2014, the court may not impose an upper term sentence based on aggravating facts unless those facts were first presented to the factfinder and the factfinder found the facts to be true.</p>	Oppose, diminishes court’s discretion by preventing court’s from imposing upper term in the absence of certain findings.	Author	Assembly Appropriations Committee 2-year bill

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 16, 2013
AB 787 (Tracy Kenny/Alan Herzfeld)	<p>AB 787 (Stone) – Foster care</p> <p>As amended September 6, 2013 Makes various technical and clarifying changes to implement the California Fostering Connections to Success Act of 2010 (AB 12, Stats. of 2010, ch. 559). Specifically, it would (1) clarify the eligibility of transition jurisdiction youth for placement in the same placements as other nonminor dependents; (2) provide the court with the authority to resume jurisdiction for a nonminor under 21 whose guardian or adoptive parent dies before the nonminor turns 21; and, (3) bring case management requirements for state-funded Kinship Guardianship Assistance Payment Program (Kin-GAP) in line with those for federally funded cases.</p>	Support	California Alliance of Child and Family Services and Alliance for Children’s Rights	Signed into law (Stats. 2013, ch. 487)
AB 805 (Sharon Reilly)	<p>AB 805 (Jones-Sawyer) – Bail</p> <p>As introduced Provides that in setting, reducing, or denying bail, a judge or magistrate may consider a report otherwise prepared by investigative staff for the purpose of recommending whether a defendant should be released on his or her own recognizance.</p> <p>UPDATE: As amended May 30, 2013 <i>Clarifies that a judge or magistrate may consider “factors such as” a report prepared by investigative staff.</i></p>	<p>Support, if amended to clarify that a judge or magistrate may consider “factors such as” a report prepared by investigative staff.</p> <p>UPDATE As amended May 30, 2013 Support</p>	Author	Signed into law (Stats. 2013, ch. 17)
AB 807 (Sharon Reilly)	<p>AB 807 (Ammiano) – Criminal investigations: eye witness identification</p> <p>As amended September 10, 2013 Among other things, requires, when law enforcement has adopted procedures for conducting photo and live lineups with eye witnesses, that courts give jury instructions about those procedures that are substantially similar to instructions set forth in the bill.</p>	Oppose the provision requiring courts to give specified jury instructions. No position on remaining provisions.	American Civil Liberties Union and California Public Defenders Association	Senate inactive file 2-year bill
AB 868 (Tracy Kenny/Alan Herzfeld)	<p>AB 868 (Ammiano) – Courts: training programs: gender identity and sexual orientation</p> <p>As amended June 25, 2013 Mandates that existing required training standards for judicial officers who hear family law matters, Court Appointed Special Advocates, and attorneys for children in dependency cases be modified to include training on cultural competency and sensitivity with regard to gay, lesbian, bisexual, and transgender youth.</p>	No position, but directed staff to articulate the concern of the Judicial Council on the precedent that is being established by enacting statutory training requirements for judges, and to highlight the importance of recognizing judicial independence and oversight over training as the legislature considers this bill and any future judicial training mandates.	Equality California	Signed into law (Stats. 2013, ch. 300)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 16, 2013
AB 1004 (Sharon Reilly)	<p>AB 1004 (Gray) – Crimes: electronic arrest warrants</p> <p>As amended May 15, 2013 Streamlines the process for obtaining arrest warrants by permitting them to be submitted by computer servers, and by allowing magistrates to sign arrest warrants digitally or electronically.</p> <p>[NOTE: This bill contains one of the 17 efficiency proposals approved for Judicial Council-sponsorship in December 2012.]</p>	Sponsor	Judicial Council	Signed into law (Stats. 2013, ch. 460)
AB 1006 (Tracy Kenny/ Alan Herzfeld)	<p>AB 1006 (Yamada) – Juvenile court records: sealing and destruction</p> <p>As amended May 8, 2013 Requires the Judicial Council to develop a form petition and instructional materials to be used by persons with juvenile offenses seeking to seal their juvenile records. Requires probation and the courts to ensure that juvenile offenders are provided with the petition and informational materials.</p>	Support	Author	Signed into law (Stats. 2013, ch. 269)
AB 1008 (Cory Jaspersen)	<p>AB 1008 (Torres) – Civil procedure: judges</p> <p>As amended April 23, 2013 Eliminates the ability of a judge to perform the duties of a clerk during a session of a superior court or within a judge’s chambers as is currently permitted under section 167 of the Code of Civil Procedure.</p> <p>UPDATE: As amended September 4, 2013 Amended to address a non-court-related matter.</p>	<p>Oppose, hampers the ability of the trial courts to manage staffing and duties in the courtroom.</p> <p>UPDATE: As amended September 4, 2013 No position</p>	AFSCME Local 575	Signed into law (Stats. 2013, ch. 311)
AB 1118 (Sharon Reilly)	<p>AB 1118 (Hagman) – Statewide bail schedule</p> <p>As amended May 24, 2013 Among other things, requires the Judicial Council to prepare, adopt, and annually revise a statewide bail schedule for all bailable offenses, except Vehicle Code infractions, and to appoint a group of judges who represent counties varying in size from throughout the state to develop and approve the statewide bail schedule.</p>	Oppose, requires Judicial Council to adopt a model statewide bail schedule with no ostensible purpose.	Author	Senate Public Safety Committee 2 year bill
AB 1127 (Alan Herzfeld)	<p>AB 1127 (Chau) – Legal aid: court interpreters</p> <p>As amended September 6, 2013 Allocates \$6 million from the Trial Court Trust fund for a pilot program publicly funding interpreters in civil cases in three counties.</p>	Neutral, but directed staff to communicate to administration reason why we are not in support.	California Federation of Interpreters	Vetoed

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 16, 2013
AB 1131 (Sharon Reilly)	<p>AB 1131 (Skinner) – Firearms</p> <p>As amended June 24, 2013 Among other things, requires that courts notify the Department of Justice (DOJ) in an electronic format, in a manner prescribed by the DOJ about individuals who have been adjudged by a court to be a danger to others as a result of mental disorder or mental illness, or who have been adjudicated to be a mentally disordered sex offenders, within 24 hours of the finding.</p> <p>UPDATE: As amended September 3, 2013 Requires the above-referenced reports to be made within two court days of the finding.</p> <p>[NOTE: This provision is identical to the provisions in AB 1296.]</p>	<p>Support the provision relating to court reporting, if amended to require reporting within three court days of an individual being adjudged by a court to be a danger to others as a result of a mental disorder or mental illness, or who have been adjudicated to be a mentally disordered sex offender.</p> <p>UPDATE: As amended September 3, 2013 Support the provision relating to court days.</p>	Author	Signed into law (Stats. 2013, ch. 747)
AB 1167 (Daniel Pone)	<p>AB 1167 (Dickinson) – Court records: electronic forms</p> <p>As amended July 1, 2013 Clarifies the procedures for levying officers to follow in their efforts to enforce judgments where the underlying writ of execution was issued by the court in an electronic form. Among other things, details the specific information that must be included in a judgment creditor’s instructions to the levying officer in such cases. Makes clear that the levying officer may generally proceed in the same manner as if in possession of a paper version of the original writ.</p>	Support	California State Sheriffs’ Association and Los Angeles County Sheriff’s Department	Signed into law (Stats. 2013, ch. 156)
AB 1293 (Andi Liebenbaum)	<p>AB 1293 (Bloom) – Courts: efficiencies</p> <p>As amended July 2, 2013 Adds a probate fee of \$40 for the filing of a request for special notice in decedents’ estate, guardianship, conservatorship, or trust proceedings to help courts cover the costs incurred to ensure proper service of notice and other documents to all persons who have requested special notice have been given, if such notice has not been given, that the hearings on petitions filed by these other parties are postponed so that proper notice can be given to the requesting parties. Sunsets on January 1, 2019.</p> <p>[NOTE: This bill contains one of the 17 efficiency proposals approved for Judicial Council-sponsorship in December 2012.]</p>	Sponsor	Judicial Council	Signed into law (Stats. 2013, ch. 382)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 16, 2013
AB 1296 (Sharon Reilly)	<p>AB 1296 (Skinner) – Firearms</p> <p>As amended April 1, 2013 Among other things, requires that courts notify the Department of Justice (DOJ) in an electronic format, in a manner prescribed by the DOJ about individuals who have been adjudged by a court to be a danger to others as a result of mental disorder or mental illness, or who have been adjudicated to be a mentally disordered sex offenders, within 24 hours of the finding.</p> <p>[NOTE: On June 24, 2013, the provision relating to reporting was also amended into AB 1131.]</p>	Support the provision relating to court reporting, if amended to require reporting within three court days of an individual being adjudged by a court to be a danger to others as a result of a mental disorder or mental illness, or who have been adjudicated to be a mentally disordered sex offender.	California Attorney General	Assembly Appropriations Committee 2-year bill
AB 1313 (Cory Jaspersen)	<p>AB 1313 (Donnelly) – Judgeships: allocation</p> <p>As amended April 29, 2013 Requires the Judicial Council, upon the availability of funding, to allocate up to 12 additional judges each fiscal year to counties in which the current number of judgeships are disproportionate to the Judicial Council’s assessed judicial need for that county. Specifies that allocation of judicial positions shall be made first to those counties with the greatest disparity between their current allocations and the Judicial Council’s assessed judicial need. States that these requirements shall apply until the ratio of judges to population in an individual county reaches 90 percent of the Judicial Council’s assessed judicial need for that county.</p>	No position, but continue working with the author and reinforcing the council’s long history of seeking judgeships.	Author	Assembly Judiciary Committee 2-year bill
AB 1352 (Sharon Reilly)	<p>AB 1352 (Levine) – Courts: destruction of court records</p> <p>As amended June 26, 2013 Updates and revises court record retention provisions to allow courts to efficiently and effectively manage court records and reduce unnecessary storage costs.</p>	Sponsor	Judicial Council	Signed into law (Stats. 2013, ch. 274)
AB 1403 (Alan Herzfeld)	<p>AB 1403 (Committee on Judiciary) – Family law: subordinate judicial officers</p> <p>As amended July 8, 2013 Contains language approved for sponsorship by the Judicial Council authorizing the conversion of ten additional subordinate judicial officer (SJO) positions if those conversions result in judges being assigned to a family or juvenile law assignment previously heard by an SJO. Also, revises the Uniform Parentage Act to make it gender neutral. Contains technical language to avoid chaptering out conflicts with SB 274.</p>	Support	Author	Signed into law (Stats. 2013, ch. 510)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 16, 2013
SB 123 (Daniel Pone)	<p>SB 123 (Corbett) – Environmental and Land-Use Court</p> <p>As introduced Requires the presiding judge of each superior court to establish an environmental and land-use division within the court to process civil proceedings brought pursuant to the California Environmental Quality Act or in specified subject areas, including air quality, biological resources, climate change, hazards and hazardous materials, land use planning, and water quality. Requires the Judicial Council, by rule of court, to identify statutes in those specified areas that would be within the jurisdiction of the environmental and land-use court division. Requires the Judicial Council, by rule of court, to establish appropriate standards and protocols for the environmental and land-use court division to accomplish the objectives of consistency, expediency, and expertise, including educational requirements and other qualifications for specialized judges assigned to the division. Makes various legislative findings and declarations in support of the bill.</p> <p><i>UPDATE: As amended April 23, 2013</i> <i>Requires the Judicial Council to direct the creation of an environmental and land use division “within two or more superior courts within each of the appellate districts of the state” (i.e., a minimum of 12 new divisions) to process all civil proceedings brought pursuant to the California Environmental Quality Act or in specified subject areas, including air quality, biological resources, climate change, hazards and hazardous materials, land use planning, and water quality. Specifies that such an action may be filed at a superior court within the county in which the underlying claim arises, but requires the proceeding to be transferred to the nearest superior court within the same appellate district that has established an environmental and land use division pursuant to the bill’s provisions. Requires the Judicial Council, by rule of court, to: (a) identify statutes in those specified areas that would be within the jurisdiction of the new environmental and land use court divisions; and (b) establish appropriate standards and protocols for the environmental and land use court divisions to accomplish the objectives of consistency, expediency, and expertise, including educational requirements and other qualifications for specialized judges assigned to the divisions.</i></p> <p><i>UPDATE: As amended May 2, 2013</i> <i>Same as above, but adds provisions creating new funding scheme utilizing specified fees for environmental license plates to supplement funding for the operation of the new environmental and land use divisions.</i></p>	<p>Oppose, courts need the flexibility to manage their own calendars. Bill is not necessary due to existing CEQA calendar preference and special judge training requirements.</p> <p>UPDATE: <i>As amended April 4, 2013</i> <i>Oppose</i></p> <p>UPDATE: <i>As amended May 2, 2013</i> <i>Oppose</i></p>	Author	Senate Appropriations Committee 2-year bill
SB 233 (Daniel Pone)	<p>SB 233 (Leno and Correa) – Debt buying</p> <p>As amended May 15, 2013 Enacts the Fair Debt Buying Practices Act. Among other things, the bill would require a debt buyer bringing an action on charged-off consumer debt to include certain detailed information with his or her complaint.</p>	Support	California Attorney General	Signed into law (Stats. 2013, ch. 64)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 16, 2013
SB 260 (Sharon Reilly)	<p>SB 260 (Hancock) – Sentencing</p> <p>As amended May 24, 2013</p> <p>Requires a sentencing court, upon motion by an inmate, after 60 days notice to the prosecution, to hold a hearing to review the sentence of a person who meets specified criteria. Allows the judge to suspend or stay all or a portion of the sentence, reduce the sentence to any sentence that could lawfully have been ordered at the time of the original judgment, or both reduce and suspend or stay all or a portion of the sentence. Authorizes the court to consider specified evidence relating to the person’s rehabilitation and the circumstances at the time of the offense, in conjunction with any other evidence the court considers relevant, in making this determination. Requires the court to state on the record the criteria relied on in reaching its decision and to provide a statement of reasons for reliance on that criteria. Permits each person granted review whose sentence is not suspended, stayed, or reduced, to file a new petition for review 3 or more years after the prior hearing. Requires the court to grant a review hearing if the petition demonstrates, by a preponderance of the evidence, a change in the evidence the court considered in denying the person’s prior petition.</p> <p>UPDATE: As amended September 3, 2013 Deletes the provisions relating to court roles and processes and instead establishes a parole process for persons sentenced to lengthy prison terms for crimes committed before attaining 18 years of age.</p>	<p>Oppose, petitions will be routinely filed every three years by virtually all eligible individuals, even those without merit, placing enormous burdens on the courts.</p> <p>UPDATE: As amended September 3, 2013 No position</p>	Human Rights Watch, Youth Law Center, The Friends Committee, and USC School of Law Post Conviction Clinic	Signed into law (Stats. 2013, ch. 312)
SB 366 (Sharon Reilly)	<p>SB 366 (Wright) – Traffic fines: ability to pay</p> <p>As amended May 14, 2013</p> <p>Implements broad changes to the laws that govern how civil assessments are imposed and processed.</p>	Oppose, would significantly increase the workload of courts that are already understaffed.	Western Center on Law and Poverty	Senate Appropriations Committee 2-year bill
SB 378 (Sharon Reilly)	<p>SB 378 (Block) – Official record of conviction: admissibility of electronically digitized copy</p> <p>As amended April 2, 2013</p> <p>Provides that an electronically digitized copy of an official record of conviction that has been certified in accordance with specified requirements is admissible to prove the commission, attempted commission, or solicitation of a criminal offense, prior conviction, service of a prison term, or other act, condition, or event recorded by the record.</p> <p>[NOTE: This bill contains one of the 6 efficiency proposals approved for Judicial Council-sponsorship in April 2013.]</p>	Support	Judicial Council and San Diego District Attorney’s Office	Signed into law (Stats. 2013, ch. 150)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 16, 2013
SB 406 (Daniel Pone)	SB 406 (Evans) – Tribal Court Civil Judgment Act As introduced Provides a discrete procedure for recognizing and enforcing tribal court civil judgments, providing for swifter recognition of such judgments while continuing to apply the principles of comity appropriate to judgments of sovereign tribes.	Sponsor	Judicial Council	Senate Judiciary Committee 2-year bill
SB 419 (Sharon Reilly)	SB 419 (Block) – Flash incarceration As amended June 18, 2013 Extends the authority for “flash incarceration” to include persons subject to probation and mandatory supervision.	Support	Chief Probation Officers of California	Assembly Public Safety Committee 2-year bill
SB 513 (Sharon Reilly)	SB 513 (Hancock) – Diversion programs: sealed records As amended April 1, 2013 Provides that two years after a person has successfully completed a pretrial diversion program, he or she may petition the court for an order sealing the arrest records and related court files and records. UPDATE: As amended August 22, 2013 Clarifies that a court is only required to have a hearing on the petition if the prosecution so requests.	Support, if funded and amended to clarify that a hearing to have records sealed is only required for a petition if the prosecution so requests. UPDATE: As amended August 22, 2013 Support if amended to authorize a filing fee to cover the costs incurred by the courts for undertaking the sealing process.	San Francisco County District Attorney	Signed into law (Stats. 2013, ch. 798)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 16, 2013
SB 530 (Sharon Reilly)	<p>SB 530 (Wright) – Criminal offenders: reemployment</p> <p>As amended April 15, 2013 Among other things, eliminates the requirement that a defendant present satisfactory evidence of five years’ residence in this state prior to the filing of the petition for a certificate of rehabilitation and a pardon from a conviction of either a felony or misdemeanor violation of a sex offense, the accusatory pleading of which has been dismissed. Permits an individual convicted outside the state of an offense that would be a felony or a misdemeanor sex offense if the conviction had occurred in the state, to file a petition for a certificate of rehabilitation if the petitioner: (a) has not been incarcerated since the dismissal of the accusatory pleading; (b) is not on probation for the commission of any other felony; and (c) presents clear and convincing evidence that he or she has been a resident of the United States, its territories, or a military base for the five consecutive years prior to filing the petition. Requires such petitioners, at least 90 days prior to the date set for a hearing, to give notice of the filing of the petition to the district attorney in each county, or the equivalent jurisdiction, where a felony or misdemeanor offense occurred, and each county where the petitioner has resided for the previous five years.</p> <p>UPDATE: As amended August 30, 2013 <i>Deletes the provisions permitting individuals who are convicted from out of state to file certificates of rehabilitation and now simply excludes prior criminal convictions from consideration in employment decisions when the conviction has been judicially dismissed.</i></p>	<p>Oppose provisions relating to certificates of rehabilitation, because it raises interstate jurisdictional issues.</p> <p>UPDATE: <i>As amended August 30, 2013</i> <i>No position</i></p>	Author	Signed into law (Stats. 2013, ch. 721)
SB 569 (Sharon Reilly)	<p>SB 569 (Lieu) – Interrogations: electronic recordation</p> <p>As amended May 28, 2013 Requires, among other things, that a custodial interrogation of a minor 16 years or older who is suspected of committing an offense for which he or she may be tried as an adult be electronically recorded in its entirety. Requires the Judicial Council to develop a jury instruction on the electronic recording that is “substantially similar” to jury instruction language set forth in the bill.</p> <p>UPDATE: As amended September 3, 2013 <i>Deletes the requirement that the Judicial Council adopt a jury instruction on custodial interrogations that is substantially similar to the lengthy and detailed language in the bill. Instead requires that a court, if such a custodial interrogation is not recorded, provide the jury with an instruction to be developed by the Judicial Council that advises the jury to view the statements made in that custodial interrogation with caution.</i></p>	<p>Oppose the provision requiring the Judicial Council to develop a jury instruction. No position on the remaining provisions.</p> <p>UPDATE: <i>As amended September 3, 2013</i> <i>Oppose the provision requiring the Judicial Council to develop a jury instruction. No position on the remaining provisions.</i></p>	American Civil Liberties Union and California Public Defenders Association	Signed into law (Stats. 2013, ch. 799)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 16, 2013
SB 597 (Tracy Kenny/Cory Jaspersen)	<p>SB 597 (Lara) – Legal aid: court interpreters</p> <p>As amended April 30, 2013 Requires the Judicial Council to select up to five courts to participate in a pilot project to provide interpreter services to limited English proficient parties in civil matters. Courts would be selected from those participating in a working group to be established by the council to review, identify, and develop best practices to provide interpreters in civil proceedings. Services would be required for parties with a fee waiver in the following case types: civil harassment restraining orders, family law, unlawful detainer, probate guardianship and conservatorship proceedings concerning appointment or termination, and elder abuse. For other litigants and case types, pilot courts would be required to provide services if sufficient funding and interpreters were available. The pilot would commence July 1, 2014, and result in a report to the Legislature by September 1, 2017. The legislative report would present the findings and recommendations of the pilot, including an assessment of the need for additional funding and interpreters to meet the statewide need in the case types that were the focus of the pilot, as well as all civil actions and proceedings. The statutory authority for the pilot would sunset on January 1, 2018.</p>	Support, if amended and funded	California Federation of Interpreters	Senate Appropriations Committee 2-year bill
SB 717 (Sharon Reilly)	<p>SB 717 (DeSaulnier) – Search warrants: driving under the influence</p> <p>As amended August 30, 2013 Authorizes the issuance of a search warrant to allow law enforcement officers to take a sample of blood or other bodily fluid that may be used as evidence in misdemeanor driving under the influence cases when a person refuses to submit to or complete a blood test as requested by the officer.</p>	Support	California District Attorneys Association and Los Angeles District Attorney’s Office	Signed into law (Stats. 2013, ch. 317)
SB 743 (Daniel Pone)	<p>SB 743 (Steinberg) – Environmental quality: judicial review streamlining for environmental leadership development projects and entertainment and sports center in the City of Sacramento</p> <p>As amended September 6, 2013 Among other things, requires the Judicial Council, on or before July 1, 2014, to adopt a rule of court to establish procedures applicable to certain lawsuits seeking review of a public agency’s action in certifying an environmental impact report and in granting project approvals for a downtown arena project in the City of Sacramento. Directs that the procedures established by the rule require that actions or proceedings, including any appeals therefrom, be resolved, to the extent feasible, within 270 days of the certification of the record of proceedings. Amends the recently-enacted expedited judicial review procedures in AB 900 (Stats. 2011, ch. 354) by requiring the council to adopt a parallel rule of court, under the same deadline, which applies the same 270-day timeline for the courts to resolve lawsuits challenging projects that have been certified pursuant to the AB 900 process. Limits the forms of injunctive relief that the court may use in any action challenging the downtown arena project, as specified.</p> <p>UPDATE: As amended September 12, 2013 Same as above, except removes “to the extent feasible” language from the timeline that applies to potential lawsuits challenging AB 900 certified projects.</p>	<p>Oppose because 270-day timeline is unworkable, will have adverse impact on other cases, will exacerbate delays in administration of justice, and interferes with inherent authority of a judicial officer to fashion relief.</p> <p>UPDATE: As amended September 12, 2013 Oppose (for same reasons listed above)</p>	Author	Signed into law (Stats. 2013, ch. 386)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 16, 2013
SB 794 (Sharon Reilly)	SB 794 (Evans) – Peremptory challenges As amended April 8, 2013 Reduces the number of peremptory challenges available in all misdemeanor trials from ten to five, and reduces the number of “non-joint” peremptory challenges in multiple defendant cases from four to two.	Support	California Judges Association	Senate Public Safety Committee 2-year bill

Appendix
Status of 2013 Judicial Council-sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of October 16, 2013
AB 619 (Andi Liebenbaum)	<p><u>AB 619 (Garcia) – Court facilities</u></p> <p>As introduced Revises the formula for assessing interest and penalties for delinquent payments to the State Court Facilities Construction Fund. Makes this provision consistent with statute governing interest and penalties for late payments to the Trial Court Trust Fund. Authorizes the Controller to permit a county, city and county, or court to pay the interest or penalty amounts under a payment schedule if the interest or penalty amount causes a hardship to that entity.</p> <p>[NOTE: This bill contains one of the 6 efficiency proposals approved for Judicial Council-sponsorship in April 2013.]</p>	Judicial Council and State Association of County Auditors	Signed into law (Stats. 2013, ch. 452)
AB 648 (Cory Jasperson)	<p><u>AB 648 (Jones-Sawyer) – Court reporters</u></p> <p>As amended September 6, 2013 Provides necessary cleanup to the newly enacted \$30 court reporter fee. Specifically: (1) clarifies that the fee is for proceedings lasting one hour or less; (2) clarifies that the moving party is responsible for the fee; (3) authorizes the court to collect the fee at a time specified by the court, but not later than the conclusion of each day’s court session; (4) specifies that the fee is refundable only if the court fails to provide a court reporter at the scheduled hearing (if the parties take the matter off calendar, the fee does not get refunded); (5) specifies that the fee will be charged once per case for all proceedings conducted within the same hour; (6) states that the fee shall be waived for parties that have been granted a fee waiver; and (7) provides that the funds shall be deposited in the Trial Court Trust Fund and then returned to the court in which the funds were collected.</p>	Judicial Council	Signed into law (Stats. 2013, ch. 454)
AB 1004 (Sharon Reilly)	<p><u>AB 1004 (Gray) – Crimes: electronic arrest warrants</u></p> <p>As amended May 15, 2013 Streamlines the process for obtaining arrest warrants by permitting them to be submitted by computer servers, and by allowing magistrates to sign arrest warrants digitally or electronically.</p> <p>[NOTE: This bill contains one of the 17 efficiency proposals approved for Judicial Council-sponsorship in December 2012.]</p>	Judicial Council	Signed into law (Stats. 2013, ch. 460)

Appendix
Status of 2013 Judicial Council-sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of October 16, 2013
AB 1293 (Andi Liebenbaum)	<p><u>AB 1293 (Bloom) – Courts: efficiencies</u></p> <p>As amended July 2, 2013 Adds a probate fee of \$40 for the filing of a request for special notice in decedents’ estate, guardianship, conservatorship, or trust proceedings to help courts cover the costs incurred to ensure proper service of notice and other documents to all persons who have requested special notice have been given, if such notice has not been given, that the hearings on petitions filed by these other parties are postponed so that proper notice can be given to the requesting parties. Sunsets on January 1, 2019.</p> <p>[NOTE: This bill contains one of the 17 efficiency proposals approved for Judicial Council-sponsorship in December 2012.]</p>	Judicial Council	Signed into law (Stats. 2013, ch. 382)
AB 1352 (Sharon Reilly)	<p><u>AB 1352 (Levine) – Courts: destruction of court records</u></p> <p>As amended June 26, 2013 Updates and revises court record retention provisions to allow courts to efficiently and effectively manage court records and reduce unnecessary storage costs.</p>	Judicial Council	Signed into law (Stats. 2013, ch. 274)
SB 378 (Sharon Reilly)	<p><u>SB 378 (Block) – Official record of conviction: admissibility of electronically digitized copy</u></p> <p>As amended April 2, 2013 Provides that an electronically digitized copy of an official record of conviction that has been certified in accordance with specified requirements is admissible to prove the commission, attempted commission, or solicitation of a criminal offense, prior conviction, service of a prison term, or other act, condition, or event recorded by the record.</p> <p>[NOTE: This bill contains one of the 6 efficiency proposals approved for Judicial Council-sponsorship in April 2013.]</p>	Judicial Council and San Diego District Attorney’s Office	Signed into law (Stats. 2013, ch. 150)

Appendix
Status of 2013 Judicial Council-sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of October 16, 2013
SB 406 (Daniel Pone)	<u>SB 406 (Evans) – Tribal Court Civil Judgment Act</u> As introduced Provides a discrete procedure for recognizing and enforcing tribal court civil judgments, providing for swifter recognition of such judgments while continuing to apply the principles of comity appropriate to judgments of sovereign tribes.	Judicial Council	Senate Judiciary Committee 2-year bill