



JUDICIAL COUNCIL OF CALIFORNIA

GOVERNMENTAL AFFAIRS

520 Capitol Mall, Suite 600 • Sacramento, California 95814-3368
Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

MEMORANDUM

Date	Action Requested
October 5, 2018	For Your Information
To	Deadline
Hon. Tani Cantil-Sakauye	N/A
Members of the Policy Coordination and Liaison Committee	Contact
Mr. Martin Hoshino	Cory Jasperson, 916-323-3121
Ms. Millicent Tidwell	cory.jasperson@jud.ca.gov
Mr. John Wordlaw	
Mr. Robert Oyung	
From	
Cory T. Jasperson, Director	
Subject	
Final Status of 2018 Legislation considered by the Policy Coordination and Liaison Committee	

Following is the final status report on 2018 legislation considered by the Judicial Council's Policy Coordination and Liaison Committee (PCLC) during the 2017–2018 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>. Position letters on legislation as well as fiscal impact statements for those bills that would have a substantial fiscal impact on the judicial branch are published on the Judicial Council's Governmental Affairs Website at: www.courts.ca.gov/position-letters.htm.

JUDICIAL COUNCIL OF CALIFORNIA
Policy Coordination and Liaison Committee Action on 2018 Legislation
and Status of Bills

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Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
AB 30 (Daniel Pone)	<p>AB 30 (Caballero) – Environmental quality: judicial review: strip mall conversion housing projects</p> <p>As amended April 3, 2017</p> <p>Among other things, prohibits a court in a judicial action or proceeding under the California Environmental Quality Act (CEQA) from enjoining a qualified strip mall conversion housing project, as defined, unless the court finds either of the following: (i) the continuation of the project presents an imminent threat to the public health and safety; or (ii) the project site contains unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continuation of the project unless the courts stays or enjoins the project.</p>	Oppose	Author	<p>Assembly Housing and Community Development Committee</p> <p>Dead</p>
AB 330 (Sharon Reilly)	<p>AB 330 (Cooley) – Highway safety</p> <p>As amended April 19, 2017</p> <p>Authorizes a court to order a person convicted of a DUI to enroll and participate in, and successfully complete, a qualified “24/7 Sobriety program,” as a condition of probation.</p>	Support	Author	<p>Assembly Public Safety Committee</p> <p>Dead</p>
AB 414 (Cory Jaspersen)	<p>AB 414 (Medina) – Suspension and allocation of vacant judgeships</p> <p>As amended March 16, 2017</p> <p>Requires that up to four vacant judgeships be allocated from superior courts with more authorized judgeships than their assessed judicial need to superior courts with fewer authorized judgeships than their assessed judicial need. Also requires that the allocation of vacant judgeships be in accordance with a methodology approved by the Judicial Council.</p>	Support and Sponsor	Judicial Council	<p>Senate Judiciary Committee</p> <p>Dead</p>
AB 665 (Sharon Reilly)	<p>AB 665 (Levine) – Military personnel: veterans: resentencing: mitigating circumstances</p> <p>As amended June 13, 2017</p> <p>Authorizes any person who was sentenced for a felony conviction prior to January 1, 2015, and who is, or was, a member of the United States military and who may be suffering from post-traumatic stress disorder or other forms of trauma conditions as a result of his or her military service to petition for a recall of sentence if the person meets both of the following conditions: A) The circumstance of suffering from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of the person’s military service was not considered as a factor in mitigation at the time of sentencing; and B) The person was sentenced prior to January 1, 2015, whether or not the case was final as of January 1, 2015.</p> <p>[NOTE: This provision is identical to the provisions in AB 865.]</p>	Support	Author	<p>Senate Appropriations Committee— Suspense file.</p> <p>Dead</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
AB 689 (Andi Liebenbaum)	<p>AB 689 (Obernolte) – Juvenile proceedings: competency</p> <p>As amended March 16, 2017</p> <p>Authorizes the district attorney or minor’s counsel to retain or seek the appointment of additional qualified experts with regard to determining competency. Requires the Judicial Council to adopt a rule of court relating to the qualifications of those experts.</p>	Sponsor	Judicial Council	<p>Assembly Appropriations Committee— Suspense file.</p> <p>Dead</p>
AB 734 (Daniel Pone)	<p>AB 734 (Bonta) – California Environmental Quality Act: Oakland Sports and Mixed-Use Project</p> <p>As amended August 28, 2018</p> <p>Among other things, requires the Judicial Council to adopt a rule of court by September 1, 2019, to establish procedures governing CEQA actions challenging a specified Oakland Sports and Mixed-Use Project that requires the actions and any appeals therefrom to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court.</p>	Oppose	Author	Signed into law (Stats. 2018, ch. 959)
AB 745 (Sharon Reilly)	<p>AB 745 (Reyes) – Commissioners: criminal proceedings</p> <p>As amended May 2, 2017</p> <p>Until January 1, 2021, authorizes a presiding judge of a superior court located within the County of Riverside or the County of San Bernardino, if certain conditions are met, to direct a commissioner to perform certain specified duties performed by magistrates, including on-call magistrate duties. Requires the Judicial Council to report to the Governor and Legislature on this expanded authority.</p>	Sponsor	Judicial Council	<p>Assembly Appropriations Committee— Suspense file.</p> <p>Dead</p>
AB 808 (Andi Liebenbaum)	<p>AB 808 (Cunningham) – Child custody: appointment of counsel</p> <p>As amended April 26, 2017</p> <p>Allows a court to appoint a private attorney to represent a child in a custody or visitation proceeding who has not met the training, education, and/or experience requirements set forth in California Rule of Court 5.242 if an attorney who has met the requirements is not available, and the appointment is in the best interests of the child.</p>	Oppose	Author	<p>Assembly Judiciary Committee</p> <p>Dead</p>
AB 865 (Sharon Reilly)	<p>AB 865 (Levine) – Military personnel: veterans: resentencing: mitigating circumstances</p> <p>As amended August 17, 2018</p> <p>Authorizes any person who was sentenced for a felony conviction prior to January 1, 2015, and who is, or was, a member of the United States military and who may be suffering from post-traumatic stress disorder (PTSD) or other forms of trauma conditions as a result of his or her military service to petition for a recall of sentence if the person meets both of the following conditions: (A) the circumstance of suffering from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of the person’s military service was not considered as a factor in mitigation at the time of sentencing; and (B) the person was sentenced prior to January 1, 2015, whether or not the case was final as of January 1, 2015.</p> <p>[NOTE: This provision is identical to the provisions in AB 665.]</p>	Support	Author	Signed into law (Stats. 2018, ch. 523)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
AB 987 (Daniel Pone)	<p>AB 987 (Kamlager-Dove) - California Environmental Quality Act: sports and entertainment project</p> <p>As amended August 27, 2018</p> <p>Among other things, requires the Judicial Council to adopt a rule of court by July 1, 2019, to establish procedures governing CEQA actions challenging a specified sports and entertainment project in the City of Inglewood that requires the actions and any appeals therefrom to be resolved, to the extent feasible, within 270 days of the certification of the record of proceedings.</p>	Oppose	Author	Signed into law (Stats. 2018, ch. 961)
AB 1065 (Sharon Reilly)	<p>AB 1065 (Jones-Sawyer) – Theft: aggregation: organized retail theft</p> <p>As amended August 7, 2018</p> <p>Creates the crime of organized retail theft and makes various changes to existing laws related to arrest and bench warrants for theft related offenses. Until January 1, 2021, authorizes a city or county prosecuting attorney or a county probation department to create a diversion or deferred entry of judgment program for persons who commit repeat theft offenses.</p>	Neutral, if amended to either remove the references to a deferred entry of judgement program or clarify the process for that program.	Governor’s Office	Signed into law (Stats. 2018, ch. 803)
AB 1128 (Sharon Reilly)	<p>AB 1128 (Weber) – Criminal cases: exhibits: retention</p> <p>As amended April 17, 2017</p> <p>Declares the intent of the Legislature to ensure that exhibits are preserved in cases that may be reviewed in a postconviction, judicial, or extra-judicial process, and that biological evidence is retained for potential testing and retesting. Requires that the clerk of the court retain in his or her custody and control any exhibit introduced or filed in a criminal action or proceeding, as specified. Authorizes a party to whom an exhibit is released, either upon request, or for security, storage, or safety reasons, to make a digital record instead of a photographic record of the exhibit.</p> <p>In cases charging a violent felony, a specified sex offense, an aggravated assault on a child, or any charge that results in a life sentence, prohibits the court from ordering the destruction of an exhibit before one year after the term of imprisonment ends. Authorizes a party to make a digital record instead of a photographic record of any exhibit when the court notifies specified parties of an order to destroy the exhibit. For exhibits that include biological material, extends the period in which a party notified of the intention to destroy the records must respond from 180 days to one year. Excludes exhibits that include biological materials secured in connection with a criminal case charging a violent felony, a specified sex offense, an aggravated assault on a child, or any charge that results in a life sentence, from the type of exhibits for which a court may seek destruction and instead prohibits the court from ordering the destruction of those exhibits while any person charged is incarcerated.</p>	Oppose	San Diego District Attorney’s Office and the California Innocence Project	<p>Assembly Appropriations Committee— Suspense file.</p> <p>Dead</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
AB 1214 (Andi Liebenbaum)	<p>AB 1214 (Stone, Mark) – Juvenile proceedings: competency</p> <p>As amended May 10, 2018 Revises the way that competency hearings are conducted in juvenile delinquency proceedings and is the result of a comprehensive stakeholder process that included judges, district attorneys, public defenders, and other stakeholders.</p> <p>UPDATE: As amended August 17, 2018 <i>Formalizes processes and procedures related to the care and treatment of minors for whom a doubt is cast as to their competence to be involved in the adjudication of petitions against them. Specifically limits timeframe for restoration of competency of minors to six months.</i></p>	<p>Sponsor</p> <p>UPDATE: <i>As amended August 17, 2018</i> <i>Oppose</i></p>	<p>Judicial Council</p> <p>Author</p>	<p>Signed into law (Stats. 2018, ch. 991)</p>
AB 1290 (Daniel Pone)	<p>AB 1290 (Obernolte) – Lawyer-client privilege: holder of the privilege</p> <p>As amended August 20, 2018 Provides that a guardian or conservator does not hold the attorney-client privilege in cases where the guardian or conservator has an actual or apparent conflict of interest with their ward or conservatee client.</p>	<p>No position</p>	<p>Conference of California Bar Associations</p>	<p>Signed into law (Stats. 2018, ch. 475)</p>
AB 1531 (Daniel Pone)	<p>AB 1531 (Berman) – Court fees: electronic filing: duplicate payments</p> <p>As amended July 2, 2018 Specifies that if a duplicate payment is made to a court by a party or an electronic service provider by credit card or other electronic means for, among other things, court filing fees, the court must issue any appropriate refund to the entity that made the most recent payment. Allows an electronic filing service provider, if an electronic filing is made to the court by the electronic filing service provider acting as the agent of the court for purposes of collecting and remitting filing fees, and fees owed to the electronic filing service provider remain unpaid for a period of five days after notice to the attorney of record, and the filing was made by the attorney of record and not an unrepresented party, to notify the clerk that fees remain unpaid despite notice to the attorney of record. Allows the clerk to notify the attorney of record that the attorney may be sanctioned by the court for nonpayment of fees and allows the court to sanction that attorney if the fees remain unsatisfied 20 days after the clerk's notice.</p>	<p>Support</p>	<p>Coalition for Improving Court Access</p>	<p>Signed into Law (Stats. 2018, ch. 248)</p>
AB 1617 (Andi Liebenbaum)	<p>AB 1617 (Bloom) – Juvenile case files: inspection</p> <p>As amended August 7, 2018 Clarifies that parties who are entitled to seek review of certain orders in juvenile proceedings or who are respondents in such appellate proceedings may, for purposes of those appellate proceedings, access and copy those records to which they were previously given access by the juvenile court.</p>	<p>Sponsor</p>	<p>Judicial Council</p>	<p>Signed into law (Stats. 2018, ch. 992)</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
AB 1793 (Sharon Reilly)	<p>AB 1793 (Bonta) – Cannabis convictions: resentencing</p> <p>As amended May 25, 2018 Requires the Department of Justice (DOJ), by July 1, 2019, to identify past cannabis conviction cases that are potentially eligible for recall or dismissal of sentence, sealing, or re-designation pursuant to current law. Requires the department to notify prosecutors of cases in their jurisdiction that are eligible for sentence modifications. Prosecutor’s would be required to review all identified cases to determine if they will object to sentence modifications in these cases or allow them to proceed. Once prosecutors complete their review of the case, they are required to notify the courts and public defenders of cases where they are challenging the sentence modification by July 1, 2020. Additionally, prosecutors are required to notify the courts of the cases where they will not be challenging sentence modifications. Finally, requires courts to automatically modify sentences identified cases if there is no challenge by July 1, 2020.</p>	Oppose, unless amended and funded	Author	Signed into law (Stats. 2018, ch. 993)
AB 1905 (Daniel Pone)	<p>AB 1905 (Grayson) – Environmental quality: judicial review: transportation projects</p> <p>As amended March 12, 2018 Prohibits a court in a judicial action or proceeding under the California Environmental Quality Act from staying or enjoining specified transportation projects unless the court finds either of the following: (1) the continued construction or operation of the transportation project presents an imminent threat to the public health and safety; or (2) the transportation project contains unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continued construction or operation of the transportation project unless the court stays or enjoins the construction or operation of the transportation project. Specifies that if the court finds that either of the above criteria is satisfied, the court shall only enjoin those specific activities associated with the transportation project that present an imminent threat to public health and safety or that materially, permanently, and adversely affect unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values</p>	Oppose	Author	<p>Assembly Natural Resources Committee</p> <p>Dead</p>
AB 2185 (Daniel Pone)	<p>AB 2185 (Chiu) – Civil actions: pleadings: process for a guardian ad litem to proceed under a pseudonym</p> <p>As proposed to be amended Authorizes a court to appoint a guardian ad litem under a pseudonym pursuant to specified requirements.</p> <p>UPDATE: As amended August 23, 2018 Same as above.</p>	<p>Neutral, if amended</p> <p>UPDATE: As amended August 23, 2018 Neutral</p>	Mexican American Legal Defense and Education Fund	Signed into law (Stats. 2018, ch. 817)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
AB 2230 (Daniel Pone)	<p>AB 2230 (Berman) – Civil actions</p> <p>As amended August 20, 2018</p> <p>Provides that in lieu of a separate statement in connection with a motion to compel further responses to discovery requests, the court may (but is not required to) allow the moving party to submit a concise outline of the discovery request and each response in dispute. Delays the operative date of the above permissive separate statement provisions to January 1, 2020. Extends from 60 to 75 days the respective timelines for the court to rule on a motion for a new trial and a motion to set aside and vacate the judgment.</p>	Support	California Defense Counsel (co-sponsor), Consumer Attorneys of California (co-sponsor)	Signed into law (Stats. 2018, ch. 317)
AB 2240 (Sharon Reilly)	<p>AB 2240 (Grayson) – Trial Jury Selection and Management Act</p> <p>As April 9, 2018</p> <p>Prohibits the selection of designated parole and correctional officers for voir dire in both criminal and civil matters. Excludes the officers from jury service in criminal matters.</p>	Oppose	Chief Probation Officers of California	Vetoed (Veto message here)
AB 2267 (Daniel Pone)	<p>AB 2267 (Wood) – California Environmental Quality Act: Sonoma County Renewal Enterprise District</p> <p>As amended August 22, 2018</p> <p>Requires the Judicial Council, on or before July 1, 2019, to amend certain rules of court to establish procedures applicable to actions or proceedings brought pursuant to the California Environmental Quality Act seeking judicial review of the certification of an environmental impact report or the adoption of a negative declaration or mitigated negative declaration for the adoption or amendment of a specified plan in the City of Santa Rosa (referred to as the “RED Area Plan”). Requires the actions or proceedings, including any potential appeals therefrom, be resolved, to the extent feasible, within 270 days of the certification of the record of proceedings.</p>	Oppose	Author	Senate Floor—Inactive File Dead
AB 2274 (Andi Liebenbaum)	<p>AB 2274 (Quirk) – Division of community property: pet animals</p> <p>As amended April 5, 2018</p> <p>Permits the court, in a proceeding for dissolution or legal separation, at the request of one of the parties, to enter an order, prior to the final determination of ownership, to require a party to care for the pet animal. Requires the court, upon the request of one of the parties, to assign sole or joint ownership of the pet animal, taking into consideration the care of the pet animal, as defined.</p> <p>UPDATE: As amended May 10, 2018 Changes from mandatory to permissive the provision that provides for the court to assign sole or joint ownership of the pet.</p>	<p>No position, if amended to change the mandatory language to permissive.</p> <p>UPDATE: As amended May 10, 2018 No position</p>	San Diego Humane Society and Society of Cruelty to Animals; San Francisco Society for the Prevention of Cruelty to Animals	Signed into law (Stats. 2018, ch. 820)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
AB 2309 (Cory Jaspersen)	<p>AB 2309 (Bloom) – Sale of the West Los Angeles Courthouse</p> <p>As amended June 6, 2018 Authorizes the Judicial Council to sell the West Los Angeles Courthouse and the Los Angeles Mental Health Courthouse, as specified, if the sale complies with certain requirements applicable to the disposal of court facilities and if the Judicial Council consults with, and first offers the right to purchase the property to, the County of Los Angeles. Requires the net proceeds from the sale of the courthouses to be deposited into the Immediate and Critical Needs Account of the State Court Facilities Construction Fund.</p>	Sponsor	Judicial Council	Signed into law (Stats. 2018, ch. 536)
AB 2322 (Andi Liebenbaum)	<p>AB 2322 (Daly) – Department of Motor Vehicles: records: confidentiality</p> <p>As amended August 6, 2018 Requires the Department of Motor Vehicles, upon request, to make confidential the home address of a judge or court commissioner or the surviving spouse or child of the judge or court commissioner if the judge or court commissioner died in the performance of his or her duties. Requires the department to make confidential the home address of the surviving spouse or child for three years following the death of the judge or court commissioner.</p>	Support	California Judges Association	Signed into law (Stats. 2018, ch. 914)
AB 2373 (Andi Liebenbaum)	<p>AB 2373 (Acosta) – Dissolutions: disclosure of assets and liabilities</p> <p>As amended April 4, 2018 Permits a party who has complied with notice and disclosure provisions related to the disclosure of assets and liabilities to waive the right to receive the non-complying party’s disclosures without the need for a hearing and court approval. The complying party would have to file and serve a declaration, executed under penalty of perjury, waiving receipt of the noncomplying party’s disclosures and making other specified statements. Specifically, the complying party would have to affirm that he or she is advised and informed that he or she is entitled to full financial disclosure from the other party and waives that right knowingly, intelligently, and voluntarily.</p>	Support	Conference of California Bar Associations	Senate Judiciary Committee Dead

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
AB 2438 (Sharon Reilly)	<p>AB 2438 (Ting) – Automatic withdrawal of plea</p> <p>As introduced Requires the court to automatically withdraw the plea of guilty or nolo contendere and enter a plea of not guilty for a defendant after the lapse of one year from the date of pronouncement of judgment, if he or she has fully complied with and performed the sentence of the court, is not then serving a sentence for any offense and is not under charge of commission of any crime and has conformed to and obeyed the laws of the land fulfilled the conditions of probation. Applies these provisions to defendants who have completed probation on or after November 23, 1970. For a defendant convicted of a misdemeanor and not granted probation and a defendant convicted on an infraction, after the lapse of one year from the date of pronouncement of judgment, requires the court to withdraw the plea of guilty or nolo contendere and enter a plea of not guilty, or if the defendant has been convicted after a plea of not guilty, to set aside the verdict of guilty, if a defendant has fully complied with and performed the sentence of the court, is not then serving a sentence for any offense and is not under charge of commission of any crime, and has, since the pronouncement of judgment, lived an honest and upright life and has conformed to and obeyed the laws of the land. Because the bill would no longer require a petition to be filed by the defendant in these circumstances, also eliminates the filing fees for filing petitions set forth in existing law.</p>	Oppose	Californians for Safety and Justice	<p>Assembly Appropriations Committee— Suspense file.</p> <p>Dead</p>
AB 2446 (Cory Jaspersen/Andi Liebenbaum)	<p>AB 2446 (Oberholte) – Courts: judgeships</p> <p>As introduced Secure funding for critically needed judgeships. Seek funding for 12 of the remaining 50 unfunded judgeships, assigned to the courts with the greatest need based on the most recently approved Judicial Needs Assessment, plus funding for one appellate justice and staff.</p>	Sponsor	Judicial Council	<p>Assembly Appropriations Committee— Suspense file.</p> <p>Dead</p>
AB 2526 (Sharon Reilly)	<p>AB 2526 (Rubio) – Temporary emergency gun violence restraining orders</p> <p>As introduced Sets forth the procedure for issuing a temporary emergency gun violence restraining order, specifically Penal Code sections 18140 and 18145, replacing the procedural requirement for obtaining an order orally with requirements set forth directly within the gun violence prevention statutes. Clarifies the procedures for law enforcement officers and the court to follow and aligns procedures with those for obtaining a domestic violence emergency protection order.</p>	Sponsor	Judicial Council	Signed into law (Stats. 2018, ch. 873)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
AB 2531 (Andi Liebenbaum)	<p>AB 2531 (Gallagher) – Access to judicial and nonjudicial proceedings: hearing impaired</p> <p>As amended August 23, 2018 Requires the Court Reporters Board of California to identify a process for certifying operators of computer-aided transcription systems (known as CART system) no later than January 1, 2020, and to adopt standards for certification no later than January 1, 2022 upon appropriation by the Legislature. Further requires the board to report to the Legislature the number of certified CART operators it has certified between January 1, 2022 and January 1, 2025 no later than January 1, 2026. Expands the notice provided to courts by individuals seeking accommodations for individuals who are deaf or hard of hearing to include notice for the services of an operator of a CART system. And, expands the Judicial Council mandate to develop and maintain a system to record utilization by the courts of hearing accommodations for individuals who are deaf or hard of hearing to include the utilization of the services of certified CART operators, the utilization of sign language interpreters, and the utilization of the services of otherwise uncertified operators, interpreters or captioners.</p>	No position	California Court Reporters Association	Vetoed (Veto message here)
AB 2532 (Andi Liebenbaum)	<p>AB 2532 (Jones-Sawyer) – Infractions: community service</p> <p>As introduced Provides a uniform hourly rate for conversion of infraction violation total fines to community service at a rate of double the lowest schedule for California minimum wage, and permits a court by local rule to increase the uniform rate.</p>	Sponsor	Judicial Council	Signed into law (Stats. 2018, ch. 280)
AB 2655 (Andi Liebenbaum)	<p>AB 2655 (Gloria) – Judicial Council: minor vehicle infractions</p> <p>As amended April 4, 2018 Directs the Judicial Council to develop a proposal to evaluate and implement civil adjudication of minor vehicle infractions. Requires the Judicial Council to conduct at least one public hearing and submit status reports every 6 months, as specified. If the council concluded that civil adjudication is advisable, the council shall submit a proposal to accomplish the transition to the Legislature.</p>	Sponsor	Judicial Council	<p>Assembly Appropriations Committee— Suspense file.</p> <p>Dead</p>
AB 2664 (Andi Liebenbaum)	<p>AB 2664 (Holden) – Court reporters: official reporter pro tempore</p> <p>As amended August 24, 2018 Provides that at the arranging party’s request, the court shall appoint the certified shorthand reporter to be present in the courtroom and serve as the official reporter pro tempore unless there is good cause shown for the court to refuse that appointment. Makes fees and charges of the certified shorthand reporter recoverable as taxable costs by the prevailing party.</p>	Support	Conference of California Bar Associations	Signed into law (Stats. 2018, ch. 497)
AB 2710 (Sharon Reilly)	<p>AB 2710 (Oberholte) – Warrants</p> <p>As amended June 13, 2018 Promotes procedural efficiencies by streamlining and modernizing the warrant process. More specifically, amends Penal Code sections 817 and 1526 by: (1) providing that the warrant signed by the magistrate and received by the officer be deemed the original warrant; (2) no longer requiring the magistrate to print the warrant; and (3) eliminating the oral oath requirement, with the magistrate exercising discretion to call the officer when appropriate.</p>	Sponsor	Judicial Council	Signed into law (Stats. 2018, ch. 176)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
AB 2856 (Daniel Pone)	<p>AB 2586 (Melendez) – California Environmental Quality Act: housing development projects</p> <p>As introduced Prohibits a court in a judicial action or proceeding under the California Environmental Quality Act (CEQA) from staying or enjoining specified housing development projects unless the court finds either of the following: (1) the continued construction or operation of the housing development project presents an imminent threat to public health and safety; or (2) the housing development project site contains unforeseen important Native American artifacts or unforeseen important historical or archaeological values that would be materially, permanently, and adversely affected by the continued construction or operation of the project unless the court stays or enjoins the construction or operation of the project. Specifies that if the court finds that either of the above criteria is satisfied, the court shall only enjoin those specific activities associated with the housing development project that present an imminent threat to public health and safety or that materially, permanently, and adversely affect unforeseen important Native American artifacts or unforeseen important historical or archaeological values.</p>	Oppose	Author	<p>Assembly Natural Resources Committee</p> <p>Dead</p>
AB 2868 (Laura Speed)	<p>AB 2868 (Santiago) – County of Los Angeles: limited-term law clerk</p> <p>As introduced Prohibits the Superior Court of the County of Los Angeles from employing a “limited-term law clerk” in the trial court for a period exceeding 180 calendar days. Provides that the law clerk is a trial court employee if he or she is employed for more than 180 calendar days. Makes legislative findings and declarations as to the necessity of a special statute for the Superior Court for the County of Los Angeles.</p>	Oppose	American Federation of State, County, and Municipal Employees (AFSCME)	<p>Senate Judiciary Committee</p> <p>Dead</p>
AB 2988 (Sharon Reilly)	<p>AB 2988 (Weber) – Criminal procedure: disposition of evidence</p> <p>As amended June 28, 2018 Extends the period of time courts must retain exhibits introduced or filed in certain felony criminal cases. Specifically, prohibits courts from destroying exhibits in cases charging a violent felony, specified sex offenses, an aggravated assault on a child, or any charge that results in a life sentence until one year after the term of imprisonment ends. Finally, authorizes a governmental entity to dispose of any object or material that contains or includes biological material if that entity does not receive a response within one year of sending the notification.</p> <p>UPDATE: As amended August 17, 2018 <i>Requires the appropriate governmental entity to preserve any object or material that contains or includes biological material. Requires the governmental entity to provide notice of intent to destroy biologics, as specified. Retains the provisions in existing law relating to challenges to notices of intent to destroy biologics.</i></p>	<p>Oppose, unless funded</p> <p>UPDATE: <i>As amended August 17, 2018</i> <i>No position</i></p>	The San Diego District Attorney and the Innocence Project	Signed into law (Stats. 2018, ch. 972)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
AB 3047 (Andi Liebenbaum)	<p>AB 3047 (Daly) – Court fees: waiver: Indian Child Welfare Act</p> <p>As amended August 13, 2018</p> <p>Expressly waives pro hac vice fees when an applicant is an attorney representing a tribe in a child welfare matter under the Indian Child Welfare Act (25 U.S.C. Sec. 1901, et seq).</p>	Support	California Tribal Families Coalition	Signed into law (Stats. 2018, ch. 399)
AB 3076 (Andi Liebenbaum)	<p>AB 3076 (Reyes) – Indian child welfare: legal services</p> <p>As amended April 18, 2018</p> <p>Requires the State Bar of California to administer grants to qualified legal services projects and qualified support centers for the purpose of providing one or both as follows:</p> <ul style="list-style-type: none"> • Legal services to Indian tribes in child welfare matters under the Indian Child Welfare Act (ICWA, 25 U.S.C. Sec. 1901 et seq.). • Legal training and technical assistance to qualified legal services projects regarding child welfare matters under ICWA. <p>These provisions only become effective upon an allocation to the State Bar of no less than one million dollars (\$1,000,000) in the annual Budget Act.</p>	Support	California Tribal Families Coalition	<p>Senate Appropriations Committee— Suspense file.</p> <p>Dead</p>
AB 3125 (Sharon Reilly)	<p>AB 3125 (Mayes) – Bail: schedules</p> <p>As amended March 22, 2018</p> <p>Requires judges, in adopting or revising a uniform countywide bail schedule, to compute bail as follows when a person is booked for, or charged with, two or more offenses: that bail be set under the bail schedule for the offense having the highest amount of bail including applicable amounts for enhancements and prior convictions; unless, the offenses were alleged to have been committed against separate victims, or on separate dates, or separate sex crimes were committed against one victim and each charge may be punished separately, that bail be set as the sum of the amounts listed for each offense, including applicable amounts for enhancements and convictions. Also Provides that when determining the amount of bail in either situation, both of the following are required: 1) That amounts of applicable enhancements be added only one time per victim; and 2) That amounts for prior convictions, if applicable, be added only one time per prior case.</p>	Oppose	Author	<p>Assembly— Inactive file.</p> <p>Dead</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
AB 3176 (Andi Liebenbaum)	<p>AB 3176 (Waldron) – Indian children</p> <p>As amended August 22, 2018</p> <p>Amends various sections of the Welfare and Institutions Code related to Indian children in light of the regulations and guidelines recently promulgated by the federal government concerning the Indian Child Welfare Act (ICWA). The regulations are found at 25 C.F.R. part 23. The regulations and guidelines clarify requirements under the ICWA. As recently amended, the bill ensures that courts are not required to apply ICWA to cases where there is no ongoing reason to know the child is an Indian child, and clarifies the difference between when a court has reason to know versus when a court has reason to believe a child is an Indian child; clarifies the timing and requirements of ICWA inquiry; ensures there is consistent language throughout the bill on what gives the court “reason to know” the case involves an Indian child and that this language is consistent with the federal regulations; ensures that ICWA notice by registered or certified mail return receipt requested is not required in more situations than required under the federal regulations; addresses concerns related to placement preferences, clarifying notice requirements when there is a change in placement; defines Qualified Expert Witness to ensure that the legislation conforms California law to the federal regulations; addresses concern about clarifying procedural issues such as exchange of information between tribal and state courts; and, clarifies how the emergency proceeding provisions in the federal regulations relate to California law and practice.</p>	Support	California Tribal Coalition	Signed into law (Stats. 2018, ch. 833)
AB 3246 (Andi Liebenbaum)	<p>AB 3246 (Committee on Transportation) – Transportation: omnibus bill</p> <p>As amended June 11, 2018</p> <p>Makes a series of non-substantive, highly technical adjustments to code sections that impact road nomenclature and statutory references related to transportation. Among other provisions, clarifies the numbering and internal references of Vehicle Code section 16028 so that citations to the proof of insurance provisions properly align with the intent of the statute.</p>	Sponsor, Section 22	Judicial Council	Signed into law (Stats. 2018, ch. 198)
AB 3248 (Daniel Pone)	<p>AB 3248 (Committee on Judiciary) – Judiciary Omnibus</p> <p>As introduced</p> <p>Removes the July 1, 2019 repeal date on the statutory procedures governing mandatory expedited jury trials in limited civil cases, thereby extending these provisions indefinitely.</p> <p>UPDATE: As amended August 23, 2018 <i>Among other things, replaces above provision with technical and non-controversial changes to various child support provisions in the Family Code.</i></p>	Support	Author	Signed into law (Stats. 2018, ch. 504)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
<p>SB 8 (Sharon Reilly)</p>	<p>SB 8 (Beall) – Diversion: mental disorders</p> <p>As amended July 12, 2017 Authorizes a court, with the consent of the defendant and a waiver of the defendant’s speedy trial right, to postpone prosecution of a misdemeanor or a felony punishable in a county jail, and place the defendant in a pretrial diversion program for up to 2 years if the court is satisfied the defendant suffers from a mental disorder, that the defendant’s mental disorder played a significant role in the commission of the charged offense, and that the defendant would benefit from mental health treatment. Requires the defense to arrange, to the satisfaction of the court, for a program of mental health treatment utilizing existing inpatient or outpatient mental health resources. Requires the defense to provide reports on the defendant’s progress to the court and the prosecution not less than every 6 months.</p> <p><i>UPDATE: As amended August 21, 2017</i> <i>Clarifies that in any case before the court on an accusatory pleading alleging the commission of a misdemeanor offense or felony offense punishable in a county jail pursuant to subdivision (h) of Section 1170, the court may, after considering the positions of the defense and prosecution, grant pretrial diversion to a defendant and that courts will continue to have access the arrest record of the defendant even if the defendant successfully completes the diversion program. Ensures ongoing monitoring by the court by requiring that reports be made to the court, as well as the defense and prosecution, by the diveree’s mental health provider on the diveree’s process in treatment at least every three months. Provides that a court may conclude that a diveree has performed satisfactorily if, in the court’s judgment, the diveree has substantially complied with the requirements of the treatment program, avoided significant new violations of law unrelated to the defendant’s mental health condition, and has a place in place for long-term mental health care.</i></p>	<p>Support, if amended to ensure collaboration with all parties involved.</p> <p>UPDATE: <i>As amended August 21, 2017</i> <i>Support</i></p>	<p>California Public Defenders Association</p>	<p>Assembly Appropriations Committee</p> <p>Dead</p>
<p>SB 10 (Sharon Reilly)</p>	<p>SB 10 (Hertzberg) – Bail: pretrial release</p> <p>As amended September 6, 2017 Enacts major bail/pretrial release reform.</p> <p><i>UPDATE: As amended August 20, 2018</i> <i>Changes the current pretrial release and detention system, moving from a system that determines pretrial release and detention based on criminal charge and monetary bail, to one that is based on criminal charges and assessment of risk to public safety, and potential for failure to return to court.</i></p>	<p>Concerns</p> <p>UPDATE: <i>As amended August 20, 2018</i> <i>Support</i></p>	<p>Anti-Recidivism Coalition, California Public Defenders Association, Californians for Safety and Justice, Ella Baker Center for Human Rights, Essie Justice Group, SEIU, California Silicon Valley De-Bug, and Western Center on Law & Poverty</p>	<p>Signed into law (Stats. 2018, ch. 244)</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
SB 38 (Cory Jaspersen/Andi Liebenbaum)	SB 38 (Roth) – Courts: judgeships As amended January 23, 2018 Adds an additional justice to the Courts of Appeal, Division 2, of the 4th Appellate District.	Sponsor	Judicial Council	Assembly Appropriations Committee— Suspense file. Dead
SB 39 (Cory Jaspersen)	SB 39 (Roth) – Suspension and allocation of judgeships As amended March 20, 2017 Requires that up to four vacant judgeships be allocated from superior courts with more authorized judgeships than their assessed judicial need to superior courts with fewer authorized judgeships than their assessed judicial need. Also requires that the allocation of vacant judgeships be in accordance with a methodology approved by the Judicial Council.	Sponsor and Support	Judicial Council	Senate Appropriations Committee— Suspense file. Dead
SB 142 (Sharon Reilly)	SB 142 (Beall) – Criminal offenders: mental health As amended August 6, 2018 Authorizes the defendant to provide documentation to the court that he or she was eligible for public mental health services or Social Security Disability Insurance. Requires the court to consider the defendant’s mental health history when determining sentencing and whether referral to the county behavioral health system for treatment in the community, including residential treatment, is appropriate in lieu of incarceration. Requires the Judicial Council in consultation with the chief probation officer and behavioral health department of each county and the Department of Corrections and Rehabilitation (CD), to provide a report to the Department of Finance containing specified statistics regarding felony filings, convictions, and sentencing in each county and related statistics regarding the population in each county receiving specified mental health services through Medi-Cal.	Support, if amended	NAACP Legal Defense Fund	Assembly Appropriations Committee Dead
SB 170 (Andi Liebenbaum)	SB 170 (Leyva) – Child custody: preferences of the child As introduced Lowers the age, from 14 years of age to 10 years of age, at which a court is required to allow a child to address the court regarding custody and visitation, unless the court determines that it is not in the child’s best interests to do so.	Oppose	California Protective Parents Association and Center for Judicial Excellence	Senate Judiciary Committee Dead
SB 183 (Sharon Reilly)	SB 183 (Lara) – Courthouses As amended August 6, 2018 Provides that Judicial Officers have the power to prevent activities that threaten access to state courthouses and court proceedings, and to prevent interruption of judicial administration, including protecting the privilege from civil arrest at courthouses and court proceedings. Provides that no person shall be subject to civil arrest of any type while at a courthouse or court proceeding. Provides that an individual who violates this provision may be held in contempt of court. [NOTE: On August 24, 2018, SB 183 was gutted and amended to relate to educational equity. The August 6, 2018, provisions of SB 183 were amended into SB 349.]	No position	Author	Signed into law (Stats. 2018, ch. 779)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
SB 185 (Andi Liebenbaum)	<p>SB 185 (Hertzberg) – Crimes: infractions</p> <p>As amended May 26, 2017</p> <p>SB 185, as proposed to be amended, would:</p> <ul style="list-style-type: none"> Amend Vehicle Code section 40509(a) and 40509.5(a) in two ways. First, the amendments seek to expand the definitions of “appearance” and “otherwise satisfies the order of the court” for the purpose of allowing a defendant to appear in court after the FTA has been entered. “Appearance” would be expanded to include appearances in person or in writing before a judicial officer, a subordinate judicial officer, or a clerk of the court. In that same section, “otherwise satisfies the order of the court” would be expanded to include, but not limited to, a defendant’s request for a court date, request for an ability to pay determination, request for an alternative sentence, submission of a good cause reason for the failure to appear, and enrollment in court-ordered community service. The second amendment to these sections would be include language that the court shall not issue a bench warrant for a failure to appear. Amend Vehicle Code section 40509.5(d)(1) to except from the provision that would require a court to issue a warrant on an underlying misdemeanor or felony offense violations of Vehicle Code section 12500 (driving without a license), and Vehicle Code section 14601.1 (driving on a suspended or revoked license). Amend Vehicle Code section 40903(a) to require the court to make a finding of good cause as the basis for finding that a defendant has elected to have a trial by written declaration. <p>Amend Vehicle Code section 42007 to require a court to allow a payment plan for Traffic Violator School fees beyond 90 days based on a determination of the person’s ability to pay.</p>	Oppose	Western Center on Law and Poverty, and ACLU	<p>Assembly Appropriations Committee— Suspense file.</p> <p>Dead</p>
SB 215 (Sharon Reilly)	<p>SB 215 (Beall) – Diversion</p> <p>As amended August 23, 2018</p> <p>Makes defendants ineligible for the mental health diversion program for certain serious offenses. Authorizes a court to require the defendant to make a prima facie showing that the defendant will meet the minimum requirements of eligibility for diversion and that the defendant and the offense are suitable for diversion. Requires the court, upon request, to conduct a hearing to determine whether restitution is owed to any victim as a result of the diverted offense and, if owed, to order its payment during the period of diversion.</p>	Support	Author	Signed into law (Stats 2018, ch. 1005)
SB 349 (Sharon Reilly)	<p>SB 349 (Lara) – Courthouses: Privilege from civil arrest</p> <p>As amended August 24, 2018</p> <p>Provides that Judicial Officers have the power to prevent activities that threaten access to state courthouses and court proceedings, and to prevent interruption of judicial administration, including protecting the privilege from civil arrest at courthouses and court proceedings. Provides that no person shall be subject to civil arrest of any type while at a courthouse or court proceeding. Provides that an individual who violates this provision may be held in contempt of court.</p>	No position	Author	Vetoed (Veto message here)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
SB 421 (Sharon Reilly)	<p>SB 421 (Wiener) – Sex offenders: registration: criminal offender record information systems</p> <p>As amended August 21, 2017 Commencing January 1, 2021, establishes three tiers of registration for sex offenders based on specified criteria for two mandated minimum periods of registration of 10 years, and 20 years, and maintains lifetime registration as specified. Establishes new court procedures by authorizing a tier one or tier two offender to file a petition at the expiration of his or her minimum registration period, and provides that the district attorney may request a hearing on the petition on the basis that the petitioner has not fulfilled the requirements of successful tier completion, as specified. Authorizes a tier three offender who meets specified criteria to petition the court for placement into tier two. Requires offenders in tiers one and two to petition the court for removal from the registry at the end of their designated registration period. Gives courts discretion to deny termination when certain conditions of registration are not met, and allows the prosecution to request a hearing to oppose any petition for removal.</p> <p>[NOTE: This provision is identical to the provisions in SB 384.]</p>	Support, if funded	California Sex Offender Management Board. Los Angeles County District Attorney’s Office, California Coalition Against Sexual Assault, and Equality California	<p>Assembly Appropriations Committee</p> <p>Dead</p>
SB 545 (Sharon Reilly)	<p>SB 545 (Beall) – Vehicles: 24/7 Sobriety program</p> <p>As amended March 20, 2017 Authorizes a court to order a person convicted of a DUI to enroll and participate in, and successfully complete, a qualified “24/7 Sobriety program,” as defined, as a condition of probation, parole, sentence, or work permit, if the program is available and deemed appropriate, and the person committed the crime within 10 years of one or more separate crimes described above that resulted in a conviction. Requires the 24/7 Sobriety methodology to be evidence-based. Provides that a participant’s ability to maintain employment, schooling, or family life due to lack of proximity to a testing location may be considered a hardship. Requires a person participating in the program to pay the program costs, commensurate with the person’s ability to pay, as specified. Requires the Department of Motor Vehicles to establish uniform collection and reporting of certain information relating to 24/7 Sobriety programs.</p>	Support	Author	<p>Senate Appropriations Committee— Suspense file.</p> <p>Dead</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
SB 922 (Daniel Pone)	<p>SB 922 (Nguyen) – Surplus state property: affordable student housing</p> <p>As amended April 2, 2018</p> <p>Among other things, requires the Judicial Council, on or before July 1, 2019, to adopt a rule of court to establish procedures applicable to actions or proceedings brought pursuant to the California Environmental Quality Act seeking judicial review of an environmental impact report for specified affordable student housing projects. Requires the actions or proceedings, including any potential appeals therefrom, be resolved, to the extent feasible, within 365 days of the lodging with the court of the certified record of proceedings. Also prohibits a court from staying or enjoining the siting, construction, or operation of the affordable student housing project unless the court finds either of the following: (a) the continued construction or operation of the project presents an imminent threat to public health and safety; or (b) the project site contains unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continued construction or operation of the project unless the courts stays or enjoins the construction or operation of the project. Further provides that if the court makes either of the above findings, the court shall only enjoin those specific activities associated with the project that present an imminent threat to public health and safety or that materially, permanently, and adversely affect unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values.</p>	Oppose	Author	Senate Governmental Organization Dead
SB 948 (Daniel Pone)	<p>SB 948 (Allen) – California Environmental Quality Act community plans</p> <p>As amended April 30, 2018</p> <p>Would authorize the Governor to certify updates to a community plan and the accompanying ordinances meeting specified requirements as being eligible for the CEQA expedited judicial review benefits of AB 900 (Stats. 2011, ch. 354).</p>	Oppose	Author	Senate Judiciary Committee Dead
SB 954 (Daniel Pone)	<p>SB 954 (Wieckowski) – Mediation: confidentiality: disclosure</p> <p>As amended August 16, 2018</p> <p>Requires (except in the case of a class or representative action) an attorney representing a person participating in a mediation or a mediation consultation to provide their client, as soon as reasonably possible before the client has agreed to participate in a mediation or mediation consultation, with a specified printed disclosure containing the confidentiality restrictions related to mediation, and to obtain a printed acknowledgment signed by that client stating that they have read and understand the confidentiality restrictions. Provides further that an attorney who is retained after an individual agrees to participate in the mediation or mediation consultation, as soon as reasonably possible after being retained, must comply with the printed disclosure and acknowledgment requirements described above. Specifies language that would be deemed compliant with the above written disclosure and acknowledgment requirements. Provides that the failure of an attorney to comply with the bill's disclosure requirements does not invalidate an agreement prepared in the course of, or pursuant to, a mediation. Specifies further that a communication, document, or writing related to an attorney's compliance with the bill's disclosure requirements is not confidential and may be used in an attorney disciplinary proceeding if the communication, document, or writing does not disclose anything said or done or any admission made in the course of the mediation.</p>	Support	Author	Signed into law (Stats. 2018, ch. 350)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
SB 1011 (Daniel Pone)	<p>SB 1011 (Roth) – Proceeding to establish limited conservatorship: person with development disabilities</p> <p>As amended April 12, 2018 Among other things, requires the regional center, in limited conservatorship case, to attach to its report the client’s most recent individual program plan. Also requires the regional center to deliver a copy of its report to the court at least 15 days (vs. five days) before the hearing on the petition.</p>	Support	Author	<p>Senate Judiciary Committee</p> <p>Dead</p>
SB 1129 (Andi Liebenbaum)	<p>SB 1129 (Monning) – Spousal support award: conviction for act of domestic violence</p> <p>As amended August 24, 2018 Includes felony domestic violence convictions, including a felony conviction for battery with serious bodily injury as described in Section 243(d) of the Penal Code, and any act of domestic violence where it has been pleaded and proven that the defendant personally inflicted great bodily injury pursuant to Penal Code section 12022.7, perpetrated by one spouse against the other, and misdemeanor domestic violence or a misdemeanor that results in a term of probation, as defined, perpetrated by one spouse against another, in the rebuttable presumption that an award of spousal support to the convicted spouse is prohibited, and that the injured spouse shall not pay attorney fees. States that the date of separation shall be the date of the incident giving rise to the conviction, and that the injured spouse shall be entitled to a 100 percent of the community property interest in the injured spouse’s retirement and pension benefits. Provides that a convicted spouse may present documentation of the convicted spouse’s history as a victim of a violent sexual offense as described, or domestic violence pursuant to section 6211 of the Penal Code, perpetrated by the other spouse, from which the court may determine that the presumption against awarding support and benefits does not apply.</p>	Oppose, unless amended to limit the bill’s provisions to those proposed for section 4324.5 of the Family code.	Author	Signed into law (Stats. 2018, ch. 850)
SB 1155 (Andi Liebenbaum)	<p>SB 1155 (Hueso) – Court interpreters: small claims proceedings</p> <p>As amended April 30, 2018 Clarifies authority for the courts to appoint interpreters in small claims proceedings. Allows the court, of a certified or registered interpreter is not available, to either postpone the hearing, or allow the use of a temporary interpreter. Clarifies that the bill is not intended to alter the obligation of the courts to provide interpreters in small claims when funding is available, nor does it affect the priorities of actions and proceedings for court interpreter services as specified in Evidence Code section 756.</p> <p>UPDATE: As amended August 20, 2018 <i>Deletes the exemption of small claims from the definition of a court proceeding in Government Code section 68560.5. This change makes clear that courts may provide interpreters in all civil proceedings. Also repeals Code of Civil Procedure section 116.550 which provides small claims courts with flexibility to appoint temporary interpreters when certified, registered, or provisionally qualified interpreters are not available.</i></p>	<p>Sponsor</p> <p>UPDATE: <i>As amended August 20, 2018</i> <i>Oppose</i></p>	Judicial Council	Signed into law (Stats. 2018, ch. 852)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
SB 1187 (Sharon Reilly)	<p>SB 1187 (Beall) – Competence to stand trial</p> <p>As amended August 23, 2018</p> <p>Changes the period of commitment for and individual who has been found incompetent to stand trial (IST) from three years to two years. Makes IST individuals eligible for custody credits during the period of commitment and applies those credits to those individuals when competency is restored. Makes various technical changes. Deletes the requirement that an ISD individual who has been committed, or who is on outpatient status and who is still hospitalized or on outpatient status at 18 months, be returned to the community court for a competency hearing.</p>	Support	California Public Defenders Association	Signed into law (Stats. 2018, ch. 1008)
SB 1208 (Cory Jaspersen)	<p>SB 1208 (Committee on Judiciary) – Courts, judicial emergencies</p> <p>As amended June 14, 2018</p> <p>Recasts and expands the types of emergency conditions for which a presiding judge can request, and the Chief Justice in her capacity as Chair of the Judicial Council can authorize, additional flexibility for emergency orders that may be necessary when such conditions threaten the orderly operation of a superior court, or render presence therein unsafe. Additionally, allows the Chief Justice to authorize the extension of deadlines for bringing civil cases to trial when emergency situations occur. Specifies that the Chief Justice may grant further extensions upon making a renewed determination that circumstances warranting relief persist. Would not limit any existing superior court authority to make emergency requests or take other specified actions.</p>	Supports	Author	Signed into law (Stats. 2018, ch. 201)
SB 1340 (Daniel Pone)	<p>SB 1340 (Glazer) – California Environmental Quality Act: housing projects</p> <p>As introduced</p> <p>Requires the Judicial Council, on or before July 1, 2019, to adopt a rule of court to establish procedures applicable to actions or proceedings brought pursuant to the California Environmental Quality Act (CEQA) seeking judicial review of an environmental impact report and approvals granted for a housing project. It requires the actions or proceedings, including any appeals therefrom, be resolved, to the extent feasible, within 270 days of certification of the record of proceedings.</p> <p>Prohibits a court from staying or enjoining the siting, construction or operation of the housing project unless the court finds either of the following: (i) the continued construction or operation of the project presents an imminent threat to public health and safety; or (ii) the project site contains unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continued construction or operation of the project unless the court stays or enjoins the construction or operation of the project. Specifies further that if the court finds that either of the above criteria is satisfied, the court shall only enjoin those specific activities associated with the project that present an imminent threat to public health and safety or that materially, permanently, and adversely affect unforeseen important Native American artifacts or unforeseen important historical, archaeological, or ecological values.</p>	Oppose	Author	Senate Judiciary Committee Dead

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 11, 2018
SB 1437 (Sharon Reilly)	<p>SB 1437 (Skinner) – Accomplice liability for felony murder</p> <p>As amended August 20, 2018</p> <p>Requires a principal in a crime to act with malice aforethought to be convicted of murder except when the person was a participant in the perpetration or attempted perpetration of a specified felony in which a death occurred and the person was the actual killer, was not the actual killer but, with the intent to kill, aided, abetted, counseled, commanded, induced, solicited, requested, or assisted the actual killer in the commission of murder in the first degree, or the person was a major participant in the underlying felony and acted with reckless indifference to human life. Prohibits a participant in the perpetration or attempted perpetration of one of the specified first degree murder felonies in which a death occurs from being liable for murder, unless the person was the actual killer or the person was not the actual killer but, with the intent to kill, aided, abetted, counseled, commanded, induced, solicited, requested, or assisted the actual killer, or the person was a major participant in the underlying felony and acted with reckless indifference to human life, unless the victim was a peace officer who was killed in the course of performing his or her duties where the defendant knew or should reasonably have known the victim was a peace officer engaged in the performance of his or her duties. Provides a means of vacating the conviction and resentencing a defendant when a complaint, information, or indictment was filed against the defendant that allowed the prosecution to proceed under a theory of first degree felony murder or murder under the natural and probable consequences doctrine, the defendant was sentenced for first degree or 2nd degree murder or accepted a plea offer in lieu of a trial at which the defendant could be convicted for first degree or 2nd degree murder.</p>	Support, if amended	Multiple Co-sponsors: Restore Justice, Anti-Recidivism Coalition, Californians for Safety and Justice, California Coalition for Women Prisoners, CARES for Youth, Felony Murder Elimination Project, Initiate Justice, Pacific Juvenile Defender Center, University of San Francisco School of Law Criminal and Juvenile Justice Clinic and Racial Justice Clinic, USC Gould School of Law Post-Conviction Justice Project, and Youth Justice Coalition.	Signed into law (Stats. 2018, ch. 1015)

Appendix
Status of 2018 Judicial Council-Sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of October 5, 2018
AB 414 (Cory Jaspersen)	<p><u>AB 414 (Medina) – Suspension and allocation of judgeships</u></p> <p>As amended March 16, 2017 Requires that up to four vacant judgeships be allocated from superior courts with more authorized judgeships than their assessed judicial need to superior courts with fewer authorized judgeships than their assessed judicial need. Also, requires that the allocation of vacant judgeships be in accordance with a methodology approved by the Judicial Council.</p>	Support and Sponsor	Senate Judiciary Committee Dead
AB 689 (Andi Liebenbaum)	<p><u>AB 689 (Oberholte) – Juvenile proceedings: competency</u></p> <p>As amended March 16, 2017 Authorizes the district attorney or minor’s counsel to retain or seek the appointment of additional qualified experts with regard to determining competency. Requires the Judicial Council to adopt a rule of court relating to the qualifications of those experts.</p>	Sponsor	Assembly Appropriations Committee—Suspense file. Dead
AB 745 (Sharon Reilly)	<p><u>AB 745 (Reyes) – Commissioners: criminal proceedings</u></p> <p>As amended May 2, 2017 Until January 1, 2021, authorizes a presiding judge of a superior court located within the County of Riverside or the County of San Bernardino, if certain conditions are met, to direct a commissioner to perform certain specified duties performed by magistrates, including on-call magistrate duties. Requires the Judicial Council to report to the Governor and Legislature on this expanded authority.</p>	Sponsor	Assembly Appropriations Committee Dead
AB 1617 (Andi Liebenbaum)	<p><u>AB 1617 (Bloom) – Juvenile case files: inspection</u></p> <p>As amended August 7, 2018 Clarifies that parties who are entitled to seek review of certain orders in juvenile proceedings or who are respondents in such appellate proceedings may, for purposes of those appellate proceedings, access and copy those records to which they were previously given access by the juvenile court.</p>	Sponsor	Signed into law (Stats. 2018, ch. 992)

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Status of 2018 Judicial Council-Sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of October 5, 2018
AB 2309 (Cory Jaspersen)	<u>AB 2309 (Bloom – Sale of the West Los Angeles Courthouse)</u> As amended June 6, 2018 Authorizes the Judicial Council to sell the West Los Angeles Courthouse and the Los Angeles Mental Health Courthouse, as specified, if the sale complies with certain requirements applicable to the disposal of court facilities and if the Judicial Council consults with, and first offers the right to purchase the property to, the County of Los Angeles. Requires the net proceeds from the sale of the courthouses to be deposited into the Immediate and Critical Needs Account of the State Court Facilities Construction Fund.	Sponsor	Signed into law (Stats. 2018, ch. 536)
AB 2446 (Cory Jaspersen/Andi Liebenbaum)	<u>AB 2446 (Obernolte) – Courts: judgeships</u> As introduced Secure funding for critically needed judgeships. Seek funding for 12 of the remaining 50 unfunded judgeships, assigned to the courts with the greatest need based on the most recently approved Judicial Needs Assessment, plus funding for one appellate justice and staff.	Sponsor	Assembly Appropriations Committee—Suspense file. Dead
AB 2526 (Sharon Reilly)	<u>AB 2526 (Rubio) – Temporary emergency gun violence restraining orders</u> As introduced Sets forth the procedure for issuing a temporary emergency gun violence restraining order, specifically Penal Code sections 18140 and 18145, replacing the procedural requirement for obtaining an order orally with requirements set forth directly within the gun violence prevention statutes. Clarifies the procedures for law enforcement officers and the court to follow and aligns procedures with those for obtaining a domestic violence emergency protection order.	Sponsor	Signed into law (Stats. 2018, ch. 873)
AB 2532 (Andi Liebenbaum)	<u>AB 2532 (Jones-Sawyer) – Infractions: community service</u> As introduced Provides a uniform hourly rate for conversion of infraction violation total fines to community service at a rate of double the lowest schedule for California minimum wage, and permits a court by local rule to increase the uniform rate.	Sponsor	Signed into law (Stats. 2018, ch. 280)

Appendix
Status of 2018 Judicial Council-Sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of October 5, 2018
AB 2655 (Andi Liebenbaum)	<u>AB 2655 (Gloria) – Judicial Council: minor vehicle infractions</u> As amended April 4, 2018 Directs the Judicial Council to develop a proposal to evaluate and implement civil adjudication of minor vehicle infractions. Requires the Judicial Council to conduct at least one public hearing and submit status reports every 6 months, as specified. If the council concluded that civil adjudication is advisable, the council shall submit a proposal to accomplish the transition to the Legislature.	Sponsor	Assembly Appropriations Committee—Suspense file. Dead
AB 2710 (Sharon Reilly)	<u>AB 2710 (Oberholte) – Warrants</u> As amended June 13, 2018 Promotes procedural efficiencies by streamlining and modernizing the warrant process. More specifically, amends Penal Code sections 817 and 1526 by: (1) providing that the warrant signed by the magistrate and received by the officer be deemed the original warrant; (2) no longer requiring the magistrate to print the warrant; and (3) eliminating the oral oath requirement, with the magistrate exercising discretion to call the officer when appropriate.	Sponsor	Signed into law (Stats. 2018, ch. 176)
AB 3246 (Andi Liebenbaum)	<u>AB 3246 (Committee on Transportation) – Transportation: omnibus bill</u> As amended June 11, 2018 Makes a series of non-substantive, highly technical adjustments to code sections that impact road nomenclature and statutory references related to transportation. Among other provisions, clarifies the numbering and internal references of Vehicle Code section 16028 so that citations to the proof of insurance provisions properly align with the intent of the statute.	Sponsor, Section 22	Signed into law (Stats. 2018, ch. 198)
SB 38 (Cory Jaspersen)	<u>SB 38 (Roth) – Courts: judgeships</u> As amended January 23, 2018 Adds an additional justice to the Courts of Appeal, Division 2, of the 4th Appellate District.	Sponsor	Assembly Appropriations Committee Dead

Appendix
Status of 2018 Judicial Council-Sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of October 5, 2018
SB 39 (Cory Jaspersen)	<p><u>SB 39 (Roth) – Suspension and allocation of judgeships</u></p> <p>As amended March 20, 2017 Requires that up to four vacant judgeships be allocated from superior courts with more authorized judgeships than their assessed judicial need to superior courts with fewer authorized judgeships than their assessed judicial need. Both bills also require that the allocation of vacant judgeships be in accordance with a methodology approved by the Judicial Council.</p>	Sponsor and Support	Senate Appropriations Committee—Suspense file. Dead