



JUDICIAL COUNCIL OF CALIFORNIA

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MEMORANDUM

Date	Action Requested
October 15, 2019	For Your Information
To	Deadline
Hon. Tani Cantil-Sakauye	N/A
Members of the Policy Coordination and Liaison Committee	Contact
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From	
Cory T. Jasperson, Director	
Subject	
Final Status of 2019 Legislation considered by the Policy Coordination and Liaison Committee	

Following is the final status report on 2019 legislation considered by the Judicial Council's Policy Coordination and Liaison Committee (PCLC) during the 2019–2020 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 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.

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Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 15, 2019
AB 242 (Cory Jaspersen)	<u>AB 242 (Kamlager-Dove) – Courts: attorneys: implicit bias: training</u> As amended September 6, 2019 Allows the Judicial Council to develop training on implicit bias, requires any training developed to include the components listed in the bill, and requires court staff (who interact with the public on matters before the court) to complete 2 hours of implicit bias training every 2 years as of January 1, 2022.	Support	Author	Signed into law (Stats. 2019, ch. 418)
AB 253 (Andi Liebenbaum)	<u>AB 253 (Stone) – Remote court reporting</u> As amended September 3, 2019 Authorizes, until December 31, 2020, the Santa Clara Superior Court to conduct a pilot project to study the potential use of remote court reporting to make the verbatim record of certain court proceedings. Requires, if the court elects to conduct the pilot project, the remote court reporting to be performed only by official reporters of the Santa Clara Superior Court who have at least 5 years of courtroom experience and only in certain types of cases, including child support and misdemeanor cases. Requires the presiding judge of the Santa Clara Superior Court to appoint a committee to prepare a report to the Legislature on the results of the pilot project and would require the committee’s report to be presented to the Legislature within 6 months of the conclusion of the pilot project. Prohibits all other courts from utilizing remote reporters.	Support, if amended to make the proposed remote court reporting pilot broader, more inclusive and more substantive, and to eliminate the prohibition on other courts utilizing remote reporters.	Service Employees International Union	Signed into law (Stats. 2019, ch. 419)
AB 281 (Cory Jaspersen)	<u>AB 281 (Frazier) – Transmission and distribution lines: undergrounding and fire hardening: CEQA: administrative and judicial streamlining</u> As amended March 21, 2019 Requires CEQA actions or proceedings, including 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. <i>UPDATE: As amended April 22, 2019</i> <i>Removed above expedited judicial review provisions that formed the basis for the council’s opposition.</i>	Oppose UPDATE: <i>As amended April 22, 2019</i> <i>No position</i>	Author	Assembly Utilities and Energy Committee Two-year bill
AB 310 (Sharon Reilly)	<u>AB 310 (Santiago) – Trial Jury Selection and Management Act</u> As amended May 16, 2019 Prohibits the selection of designated probation officers for voir dire in criminal matters. Sunsets these exemptions on January 1, 2024. Directs the Judicial Council to submit a report to the Legislature by January 1, 2023 on the impact of categorical exemptions to jury service, including the impacts to court administration, jury pool diversity, and overall access to justice caused by delays in scheduling.	Oppose categorical exemption; no position on remaining provisions.	Chief Probation Officers of California and State Coalition of Probation Organizations	Senate Public Safety Committee Two-year bill

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 15, 2019
AB 465 (Andi Liebenbaum)	<p>AB 465 (Eggman) – Juveniles: dual status youth</p> <p>As amended May 29, 2019 Defines various terms for purposes of tracking the involvement of youth in both the child welfare and juvenile justice systems. States the intent of the Legislature to replace the term “delinquency” with “juvenile justice” in all parts of the code that address child welfare and juvenile justice. Seeks to codify the “identifying terms” and “terms necessary for tracking outcomes” within the “Recommendations regarding terms and definitions” presented in the Dual Status Youth Data Standards (AB 1911): 2017 Report to the Legislature submitted by the Judicial Council to the California Legislature in November 2017.</p> <p>UPDATE: As amended August 28, 2019 <i>Creates statutory provisions to codify California Rules of Court, rule 4.700 and rule 5.495 regarding judicial oversight of the relinquishment of firearms by parties subject to domestic violence restraining orders. Seeks to align the standards and timelines for setting review hearings when the court finds that the restrained person likely possesses a firearm in the two rules (one of which applies to the Family Code and the other to the Penal Code). Creates new notice, service of process, and other court procedures related to the relinquishment of firearms by restrained persons, including a provision allowing a restrained person to be noticed about a firearms review hearing via e-mail.</i></p>	<p>Support</p> <p>UPDATE: <i>As amended August 28, 2019</i> Oppose</p>	<p>Children’s Advocacy Institute, University of San Diego School of Law</p> <p>California Partnership to End Domestic Violence, Giffords Law Center to Prevent Gun Violence, and WEAVE Sacramento</p>	<p>Inactive file</p> <p>Two-year bill</p>
AB 490 (Cory Jaspersen)	<p>AB 490 (Salas) – California Environmental Quality Act: development projects: streamlining</p> <p>As amended April 11, 2019 Requires CEQA actions or proceedings, including 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. Prohibits a court from staying or enjoining the construction or operation of these projects as specified.</p>	<p>Oppose</p>	<p>Author</p>	<p>Assembly Natural Resources Committee</p> <p>Two-year bill</p>
AB 581 (Sharon Reilly)	<p>AB 581 (Levine) – Sentencing: members of military: trauma</p> <p>As introduced Allows a defendant who is currently serving a felony sentence who is or was a member of the United States military who may be suffering from sexual trauma, traumatic brain injury, post-traumatic stress disorder, substance abuse, or mental health problems as a result of the defendant’s military service, to petition for resentencing, to consider that circumstance as a factor in mitigation if those criteria were not considered at the time of sentencing without regard to whether the defendant was sentenced prior to January 1, 2015. Clarifies that this relief is available whether or not there was argument or evidence about the defendant’s condition at trial.</p>	<p>Support</p>	<p>Author</p>	<p>Senate Appropriations Committee—suspense file.</p> <p>Two-year bill</p>
AB 597 (Sharon Reilly)	<p>AB 597 (Levine) – Probation and mandatory supervision: flash incarceration</p> <p>As amended March 21, 2019 Extends the authority of a court to authorize the use of flash incarceration to detain a person in county jail for not more than 10 days for a violation of the conditions of that person’s probation or mandatory supervision until January 1, 2023.</p>	<p>Support</p>	<p>Chief Probation Officers of California</p>	<p>Signed into law (Stats. 2019, ch. 44)</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 15, 2019
AB 607 (Sharon Reilly)	<p>AB 607 (Carrillo) – Probation: eligibility: crimes relating to controlled substances</p> <p>As amended April 3, 2019 Deletes various crimes relating to controlled substances from the prohibitions against granting probation or a suspended sentence. Authorizes the remaining prohibitions on probation to be waived by a court in the interests of justice. Requires the court to both specify on the record and enter into the minutes the circumstances supporting the findings when probation is granted under those provisions.</p>	Oppose unless amended	California Public Defender’s Association and the Drug Policy Alliance	Senate Appropriations Committee—suspense file. 2-year bill
AB 686 (Andi Liebenbaum)	<p>AB 686 (Waldron) – Indian Children: remote access by tribal counsel</p> <p>As amended September 4, 2019 Among other things, requires the Judicial Council, by July 1, 2021, to adopt rules of court to allow for telephonic or other remote appearance options by an Indian child’s tribe in proceedings where ICWA may apply. Prohibits the imposition of a user fee for telephonic or other computerized remote access for court appearances. Adds to the body of state legislation that brings California into compliance with the federal Indian Child Welfare Act (25 U.S.C. 1901 et seq.; 25 C.F.R. Part 23.).</p>	Support	California Tribal Families Coalition; Alliance for Children’s Rights (Co-Sponsor); and, California Indian Legal Services (Co-Sponsor)	Signed into law (Stats. 2019, ch. 434)
AB 800 (Andi Liebenbaum)	<p>AB 800 (Chu) – Civil actions: confidentiality</p> <p>As amended June 28, 2019 Permits an individual who is a participant in the address confidentiality Safe at Home program pursuant to Chapter 3.1 (commencing with section 6205) of Division 7 of Title 1 of the Government Code to file a civil proceeding using a pseudonym and to exclude or redact other identifying characteristics of the plaintiff from all pleadings and documents filed with the court. Requires the Judicial Council to coordinate with the Secretary of State to adopt or revise rules and forms to implement the provisions of the bill on or before July 1, 2020. Permits, if the protected person is a minor dependent or minor ward of the state, the minor’s parent, guardian, or attorney to notify the minor’s social worker or probation officer of the minor’s participation in the action, and requires the social worker or probation officer to keep information related to the action confidential.</p>	Oppose, due to concerns related to service of process, notice, and enforcement of judgement.	California Protective Parents Association	Signed into law (Stats. 2019, ch. 439)
AB 859 (Andi Liebenbaum)	<p>AB 859 (Maienschein) – Juvenile: dependency: judicial caseloads</p> <p>As amended July 10, 2019 Requires the Judicial Council to study and identify the appropriate caseload standards for judges who adjudicate juvenile dependency proceedings. Requires the Judicial Council to submit a report to the Legislature with the results of the study no later than January 1, 2021. Requires the Department of Social Services, in conjunction with the Judicial Council, to address efficiencies and methods to reduce the workload of dependency judges.</p> <p>UPDATE: As amended September 6, 2019 Removed above adjudication of child welfare provisions that formed the basis for the council’s opposition.</p>	Oppose, inappropriately interferes with court management and the allocation of judicial resources within a court. UPDATE: As amended September 6, 2019 Neutral	Children’s Advocacy Institute	Vetoed

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 15, 2019
AB 1076 (Sharon Reilly)	<u>AB 1076 (Ting) – Criminal records: automatic relief</u> As amended August 30, 2019 Among other things, commencing January 1, 2021, requires the Department of Justice (DOJ), on a monthly basis, to review the state summary criminal history repository to find individuals with felony, misdemeanor and infraction convictions that may be eligible, except in limited circumstances, to have their case records withheld from public disclosure. Requires DOJ to notify courts of eligible case on a monthly basis. Allows prosecuting attorneys to file a motion to prohibit the DOJ from requesting that the court withhold the case from public release no later than 90 calendar days before the date of a person’s eligibility for relief. If the court grants that motion, the case remains available to the public, but the person continues to be eligible to petition to have their case withheld through existing statutes. Requires a court, at the time of sentencing, to advise each defendant of their right to conviction relief under the bill. Makes the operation of some, but not all, provision subject to an appropriation in the annual Budget Act.	Oppose, unless funded	Californians for Safety and Justice and San Francisco District Attorney’s Office	Signed into law (Stats. 2019, ch. 578)
AB 1244 (Cory Jaspersen)	<u>AB 1244 (Fong) – Environmental quality: judicial review: housing projects</u> As introduced Prohibits, as specified, a court in a judicial action or proceeding under the California Environmental Quality Act from staying or enjoining a housing project for which an environmental impact report has been certified.	Oppose	Author	Assembly Natural Resources Committee Two-year bill
AB 1331 (Sharon Reilly)	<u>AB 1331 (Bonta) – Criminal justice data</u> As amended July 11, 2019 Beginning January 1, 2021, requires various entities, including local and state law enforcement agencies and courts, to report specified information to the Department of Justice on a weekly basis. UPDATE: As amended September 6, 2019 Requires courts to, in addition to case disposition information that existing law requires courts to report to the Department of Justice, to report the Criminal Information and Identification (CII) number and court docket number on a monthly basis. Requires a criminal justice agency, when filing a case with the court, to include the CII number in the filing and provides for a delayed operative date of July 1, 2020.	Oppose unless amended, to specify realistic delayed implementation date, and funded. UPDATE: As amended September 6, 2019 Neutral	Californians for Safety and Justice	Signed into law (Stats. 2019, ch. 581)
AB 1636 (Sharon Reilly)	<u>AB 1636 (Bonta) – Criminal procedure: determination of probable cause</u> As amended April 4, 2019 Authorizes a person charged by complaint with a felony to, at the time of arraignment, make a motion for a determination of probable cause on each count charged, which shall be made by the court immediately on the basis of the complaint, warrant, police reports, or other documents of similar reliability, or may be continued for not more than 3 days for good cause. Requires the court to dismiss any count charged for which the court does not make a finding of probable cause. Provides that any charge dismissed pursuant to such a motion is allowed to be refiled. Clarifies that a finding of probable cause pursuant to such a motion is not binding on the court in any later hearing for determining probable cause.	Oppose	Alameda County Public Defender and San Francisco Public Defender	Assembly Appropriations Committee—suspense file. Two-year bill

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 15, 2019
AB 1648 (Cory Jasperson)	<p>AB 1648 (Levine) – California Environmental Quality Act: local educational agencies: affordable housing projects: administrative and judicial streamlining</p> <p>As amended March 27, 2019 Requires CEQA actions or proceedings, including 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> <p>UPDATE: As amended April 11, 2019 <i>Removed expedited judicial review provisions that formed the basis for the council’s opposition.</i></p>	Oppose	Author	Assembly Housing and Community Development Committee Two-year bill
AB 1667 (Andi Liebenbaum)	<p>AB 1667 (Santiago) – Wills: electronic wills</p> <p>As amended June 28, 2019 Seeks to authorize the creation and execution of an electronic will as an additional type of will that is a writing created, generated, sent, communicated, received, or stored by electronic means and signed electronically, if it meets specified requirements, including, among others, the requirement to be witnessed.</p>	Oppose, due to conflicts of law and policy between standard written wills and proposed e-wills; fails to provide court authority to protect testators’ interests.	LegalZoom.com	Senate Judiciary Committee Two-year bill
AB 1737 (Cory Jasperson)	<p>AB 1737 (Oberholte) – Courts: unexpended funds</p> <p>As amended April 24, 2019 Repeals the 1 percent limitation on trial courts carrying over unexpended funds, and, instead, allows the Judicial Council to authorize a trial court to carry unexpended funds over from one fiscal year to the next.</p>	Support	Author	Senate Appropriations Committee—suspense file. Two-year bill
AB 1818 (Andi Liebenbaum)	<p>AB 1818 (Committee on Judiciary) – State government: timing of audits and reports</p> <p>As amended August 21, 2019 Among other things, aligns the submission and data collection requirements of two mandatory Judicial Council reports to the Legislature regarding the collection of court-ordered debt.</p>	Support	Author	Signed into law (Stats. 2019, ch. 637)
SB 16 (Cory Jasperson)	<p>SB 16 (Roth) – Courts: judgeships</p> <p>As amended April 4, 2019 Appropriates \$36.5 million from the General Fund to support 25 superior court judgeships that have been authorized by current statute since the passage of AB 159 (Stats. 2007, ch. 722). Requires allocation of those judgeships, pursuant to uniform criteria approved outlined in Government Code section 69614(b) to courts with the greatest need.</p>	Support and Sponsor	Judicial Council	Senate Appropriations Committee—suspense file. Held under submission.

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 15, 2019
SB 17 (Andi Liebenbaum)	<p><u>SB 17 (Umberg) – Civil discovery: sanctions</u></p> <p>As amended September 3, 2019 Upon order of the court following stipulation by all parties in a civil action other than unlawful detainer actions and those in small claims, requires a party to, within 45 days of the court order, provide to the other parties an initial disclosure that includes certain information related to discoverable information, as specified. Would, except as specified, also require a court, after notice to any party, person, or attorney, and after opportunity for a hearing, to impose a \$250 sanction against a party, person, or attorney upon specified findings. Authorizes the court to require an attorney to report the sanction in writing to the State Bar within 30 days of the imposition of the sanction. The bill also authorizes the court to excuse the imposition of the sanction if the court makes written findings that the person subject to the sanction acted with substantial justification or that other circumstances make the imposition of the sanction unjust. Establishes a rebuttable presumption that a natural person acted in good faith if that person was not represented by an attorney in the action at the time the conduct that is sanctionable occurred. The presumption may only be overcome by clear and convincing evidence.</p>	<p>Oppose, based on increased sanctions litigation and departure from civil courts' increasing flexibility in addressing civil litigation; focuses on increasing acrimony between/among parties rather than providing parties greater opportunities to arrive at mutually agreeable terms.</p>	<p>Author</p>	<p>Signed into law (Stats. 2019, ch. 836)</p>
SB 25 (Cory Jaspersen)	<p><u>SB 25 (Caballero) – California Environmental Quality Act: projects funded by qualified opportunity zone funds or other public funds</u></p> <p>As amended April 11, 2019 Among other things, requires the Judicial Council, on or before September 1, 2020, to amend certain rules of court to establish procedures applicable to actions or proceedings brought pursuant to the California Environmental Quality Act (CEQA) seeking judicial review of the environmental review and approvals granted for an undefined number of projects throughout the state that are funded by qualified opportunity zone funds or other specified public funds. Requires these actions or proceedings, including any potential appeals therefrom, be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court. Requires a party seeking to file a CEQA action or proceeding against a project covered by this bill to provide the lead agency and the real party in interest a notice of intent to sue within 10 days of the posting of a specified notice. (See proposed Public Resources Code section 21168.6.9, subdivision (g)(1).) Sunsets the bill's provisions on January 1, 2025.</p> <p>UPDATE: As amended April 30, 2019 <i>Removed the limits on injunctive relief provision described above, added 5-year sunset, and made various other changes.</i></p>	<p>Oppose</p>	<p>Author</p>	<p>Assembly Natural Resources Committee</p> <p>Two-year bill</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 15, 2019
SB 36 (Sharon Reilly)	<p>SB 36 (Hertzberg) – Pretrial release: risk assessment tools</p> <p>As amended September 6, 2019 Requires each pretrial services agency that uses a pretrial risk assessment tool to validate the tool by January 1, 2021, and on a regular basis thereafter, but no less frequently than once every 3 years, and to make specified information regarding the tool, including validation studies, publicly available.</p> <p>Requires the Judicial Council to maintain a list of pretrial services agencies that have satisfied those validation requirements and complied with those transparency requirements.</p> <p>Requires the Judicial Council, beginning on December 31, 2020, and on or before December 31 of each year thereafter, to publish a report on its internet website with data related to outcomes and potential biases in pretrial release. Requires pretrial services agencies, the Department of Justice, courts, and local governments that elect to use risk assessment tools to work with the Judicial Council to provide the data necessary for this report. Protects the use of the data by restricting the Judicial Council from sharing any individual level data unless the council has entered into a contract for research purposes.</p> <p>To ensure that there is sufficient funding for the data collection, analysis and reporting requirements, those provisions of SB 36 solely apply to agencies receiving funding, as follows:</p> <ul style="list-style-type: none"> • Pretrial services agencies that have a contractual agreement with one of the Pretrial Pilot Program courts (funded with the Budget Act of 2019 appropriation of \$75 million for the pilots). • Agencies otherwise funded by the state to perform risk assessments. For example, if SB 10 goes into effect or the state chooses to expand or continue the pilot projects. • Other agencies that perform risk assessments only if sufficient funding is provided to the Judicial Council, the superior courts, and pretrial services agencies to ensure their ability to meet the data reporting requirements and standards as set forth by the Judicial Council. <p>Requires the Judicial Council, on or before July 1, 2022, to provide a report to the courts and the Legislature containing recommendations to mitigate bias and disparate effect in pretrial decisionmaking.</p>	Support	Author	Signed into law (Stats. 2019, ch. 589)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 15, 2019
SB 303 (Andi Liebenbaum)	<p><u>SB 303 (Wieckowski) – Guardians and conservators: compensation: residence of conservatee</u></p> <p>As amended July 11, 2019 Provides the presumption that the personal residence of the conservatee is the least restrictive appropriate residence for the conservatee, and that, in any hearing to determine if removal of the conservatee from their personal residence is appropriate, may be overcome by clear and convincing evidence. Requires a conservator to notify the court of the proposed sale of a present or former residence before the conservator commits any significant resources to the proposed sale, except as specified, and would further require the conservator to provide the court with additional information about the projected effect of the sale on the conservatee’s capital gains income, tax liability, and eligibility for public benefits. Substantially limits the court’s discretion to grant a conservator authority to sell a conservatee’s personal residence without court confirmation of the sale. In addition, requires the conservator to demonstrate to the court, by clear and convincing evidence, a compelling need to sell the residence for the benefit of the conservatee, and the bill would delete the authority of a court to waive certain requirements for a sale, including the requirement for a conservator to obtain an appraisal. Prohibits compensation to a guardian, conservator, or attorney with any government benefits program moneys designated for the conservatee, unless specifically authorized pursuant to other provisions of law.</p>	<p>Oppose, inappropriately limits judicial discretion and interferes with judicial oversight over conservatees.</p>	<p>CEDAR (Coalition for Elder and Disability Rights)</p>	<p>Signed into law (Stats. 2019, ch. 847)</p>
SB 384 (Cory Jaspersen)	<p><u>SB 384 (Morrell) – Housing</u></p> <p>As amended March 25, 2019 Requires CEQA actions or proceedings, including 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. Prohibits a court from staying or enjoining the siting, construction or operation of these housing projects as specified.</p>	<p>Oppose</p>	<p>Author</p>	<p>Senate Environmental Quality Committee—failed passage.</p> <p>Two-year bill</p>
SB 389 (Sharon Reilly)	<p><u>SB 389 (Hertzberg) – Mental Health Services Act</u></p> <p>As introduced Authorizes counties to use Mental Health Services Act moneys to provide services to persons who are participating in a presentencing or postsentencing diversion program or who are on parole, probation, postrelease community supervision, or mandatory supervision.</p>	<p>Support</p>	<p>Los Angeles County District Attorney</p>	<p>Signed into law (Stats. 2019, ch. 209).</p>

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 15, 2019
SB 435 (Andi Liebenbaum)	<p>SB 435 (Moorlach) – Family law: evidence</p> <p>As amended April 11, 2019 Seeks to do two things: (1) address admissibility of hearsay in family law cases, and (2) direct the Judicial Council to promulgate standards and develop training. As to the former, the bill adds Family Code section 2670 which would allow a party in a proceeding for dissolution of marriage or for legal separation to rely on hearsay evidence in establishing the character and value of separate and community property in certain circumstances. It also amends Family Code section 3117 to permit hearsay in reports by Child Custody Recommending Counselors if the hearsay statement is relied upon by an expert in forming the expert’s opinion if the hearsay statement is of the type routinely relied upon by the expert and the statement has been evaluated by the expert and determined to be trustworthy. As to the latter, requires the Judicial Council, by January 1, 2021, to draft standards for recommendations made by private child custody recommending counsel (CCRC) professionals who make recommendations relating to child custody and visitation rights. Under the bill, a report based on a court-connected evaluation, private CCRC recommendation, investigation, or assessment prepared in compliance with those standards and any hearsay evidence contained in the report, would be admissible in court and constitute competent evidence if the report is provided to the court and to all parties or their counsel at least 10 days prior to the custody hearing. Requires the Judicial Council, on or before January 1, 2021, to promulgate a statewide rule of court requiring a person conducting an evaluation, investigation, or assessment in a child custody case to make and maintain a detailed record of all interviews conducted during the evaluation, investigation, or assessment process and to maintain the interview records until the case is resolved by final order. Requires the Judicial Council to establish judicial training programs for individuals who conduct court evaluations, investigations, and assessments in child custody cases, as specified. The April 11, 2019, amendments eliminates the provision that requires the parties to stipulate before otherwise inadmissible hearsay in the form of reports is admitted as competent evidence.</p>	Oppose	Association of Certified Family Law Specialists	Senate Judiciary Committee— failed deadline. Two-year bill
SB 471 (Sharon Reilly)	<p>SB 471 (Stern) – Subpoenas: form and service</p> <p>As amended July 1, 2019 Authorizes a subpoena in a criminal matter to be delivered by electronic mail or facsimile transmission. Requires each subpoena issued to contain a unique numeric or alphanumeric identification code, known as a “subpoena number.” Requires, for service to be effected, that the witness identify the subpoena by reference to its unique subpoena number and requires the sender to make a written notation of the fact that the witness made that identification. Deletes the provision in existing law stating that a warrant of arrest or a body attachment may not be issued based on a failure to appear after being subpoenaed pursuant to these provisions.</p> <p>UPDATE: As amended September 6, 2019 <i>Removes the requirement for subpoenas to have a unique number and makes conforming changes.</i></p>	Support if the provisions authorizing the use of electronic subpoenas are amended to either remove the requirement that the electronic subpoena use in a unique subpoena number or make the use of a unique subpoena number optional. UPDATE: <i>As amended September 6, 2019</i> Support	California District Attorneys Association	Signed into law (Stats. 2019, ch. 851)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status as of October 15, 2019
SB 516 (Sharon Reilly)	<u>SB 516 (Skinner) – Evidence of participation in a criminal street gang</u> As amended March 25, 2019 Requires a case in which a person is charged with actively participating in a criminal street gang and other criminal charges to be tried in phases that separate the trier of fact’s determination of the person’s guilt of participation with the criminal street gang and guilt of the other criminal charges.	Oppose	Youth Justice Coalition Alliance for Boys and Men of Color	Senate Appropriations Committee— suspense file. Two-year bill
SB 557 (Sharon Reilly)	<u>SB 557 (Jones) – Criminal proceedings: mental competence: expert reports</u> As amended July 11, 2019 Makes all documents submitted to a court pursuant to proceedings on competency to stand trial, including examinations, evaluations, recommendations, reports or certificates of restoration presumptively confidential, except as otherwise provided by law. Requires those documents to be retained in the confidential portion of the court’s file and that counsel for the defendant and the prosecution maintain the report as confidential. Provides that the defendant, counsel for the defendant, and the prosecution may inspect the documents and that the court may consider a motion, application, or petition to unseal the documents, in whole or in part, pursuant to subdivision (h) of rule 2.551 of the California Rules of Court.	Support	California Judges Association	Signed into law (Stats. 2019, ch. 251)
SB 580 (Sharon Reilly)	<u>SB 580 (Wilk) – Animal abuse: probation: treatment</u> As amended May 22, 2019 Requires the court to order a psychological or psychiatric evaluation when a defendant is granted probation for: sexually assaulting an animal; poisoning an animal; improperly caring for an animal; injuring a police dog; maliciously and intentionally injuring an animal; or, overworking an animal.	Oppose	Animal Legal Defense Fund	Assembly Public Safety Committee Two-year bill
SB 621 (Cory Jaspersen)	<u>SB 621 (Glazer) – California Environmental Quality Act: court actions or proceedings: affordable housing projects</u> As amended June 17, 2019 Requires CEQA actions or proceedings, including 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.	Oppose	Author	Assembly Natural Resources Committee Two-year bill
SB 744 (Cory Jaspersen)	<u>SB 744 (Caballero) – Planning and zoning: California Environmental Quality Act: permanent supportive housing: No Place Like Home Program</u> As amended April 29, 2019 Requires CEQA actions or proceedings, including 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. UPDATE: As amended July 11, 2019 <i>The provision requiring expedited 270-day judicial review was removed from the bill, which was the basis of Judicial Council opposition.</i>	Oppose UPDATE: <i>As amended July 11 2019</i> <i>No position</i>	Author	Signed into law (Stats. 2019, ch. 346)

Appendix
Status of 2019 Judicial Council-Sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status as of October 15, 2019
SB 16 (Cory Jaspersen)	<p>SB 16 (Roth) – Courts: judgeships</p> <p>As amended April 4, 2019 Appropriates \$36.5 million from the General Fund to support 25 superior court judgeships that have been authorized by current statute since the passage of AB 159 (Stats. 2007, ch. 722). Requires allocation of those judgeships, pursuant to uniform criteria approved outlined in Government Code section 69614(b) to courts with the greatest need.</p>	Judicial Council	Senate Appropriations Committee—suspense file. Held under submission.