PLEASE RETAIN THIS
FINAL VERSION
FOR 1999 LEGISLATION

Judicial Council of California
Administrative Office of the Courts
Office of Governmental Affairs
900 N Street, Suite 470 • Sacramento, California 95814 • Phone (916) 653-2362 Fax (916) 653-5183

TO: Honorable Ronald M. George
Members of the Policy Coordination and Liaison Committee

FROM Terrie F. Wilfong, Legislative Network Coordinator

DATE: October 26, 1999

RE: Final status of 1999 legislation considered by the Policy Coordination and Liaison Committee

Following is a final status report on 1999 legislation considered by the Judicial Council's Policy Coordination and Liaison Committee (PCLC) during the 1999-00 legislative session. The bills are listed in numerical order and indexed by subject matter. The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

The Office of Governmental Affairs staff member assigned to the bill is designated below the bill number as follows: (RL) Ray LeBov; (KH) Kathleen Howard; (JC) June Clark; (LM) Lee Morhar; (NR) Nini Redway; (TW) Terrie F. Wilfong; and, (AW) Anthony Williams.

JUDICIAL COUNCIL OF CALIFORNIA
POLICY COORDINATION AND LIAISON COMMITTEE
POSITIONS ON LEGISLATION
(1999-00 Legislative Session)

INDEX
By Subject Matter

Page

1. Judicial Council-Sponsored Legislation (See Appendix A at page 38)

AB 592 (Migden) – Juror compensation…… 38
AB 1132 (Ackerman) – Filings of motions…… 38
AB 1671 (Assembly Judiciary Committee) – Family Code cleanup…… 39
AB 1672 (Assembly Judiciary Committee) – Application for fee waiver; surety bonds…… 39
AB 1673 (Assembly Judiciary Committee) – Court staffing…… 39
SB 210 (Senate Committee on Judiciary) - Trial court unification……... 40
SB 367 (Dunn) – Court filings: electronic transmission……. 40
SB 600 (Trial court funding cleanup)…… 41
SB 1184 (Murray) – New Judgeships…… 41

Note: Judicial Council-sponsored legislation also appears in the index by subject.

2. Constitutional Amendments

ACA 9 (Olberg) – Supreme Court: criminal cases…….. 23

3. Court Facilities, Employees & Technology

AB 177 (Papan) - Filing fees; children's waiting rooms…… 2
AB 1023 (Margett) – Electronic recording……. 17
SB 35 (Baca) – Filing fees; courthouse construction…… 24
SB 367 (Dunn) – Court filings: electronic transmission (Judicial Council-sponsored)……..….. 40

INDEX
By Subject Matter

Page

4. Civil and Small Claims

AB 502 (Wildman) – Contracting…….. 8
AB 662 (Wesson) - Asset forfeiture……. 10
AB 858 (Kuehl) - Pre-dispute binding arbitration…… 14
AB 1131 (Ackerman) – Small claims: assignees…… 17
AB 1132 (Ackerman) – Filings of motions (Judicial Council-sponsored)…… 38
AB 1361 (Aroner) – Small claims: filing fees…….. 20
AB 1675 (Assembly Judiciary Committee) - Appeals: Strategic lawsuits against public participation…… 22
AB 1676 (Assembly Judiciary Committee) - Stipulated reversals……. 23
SB 1165 (Sher) - Expedited judicial review…… 34
SB 1254 (Schiff) – Confidential settlements…… 36
SB 1293 (Schiff) - Local property taxes: trial de novo…….. 37

5. Criminal Law and Procedure

AB 476 (Baugh) – Bail: procedure…… 6
AB 501 (Nakano) – Criminal procedure: continuances: career criminal prosecutions…… 8
AB 625 (Olberg) – Death sentence: waiver of automatic appeal…….. 9
SB 69 (Murray) – Criminal procedure: continuances: stalking…… 24
SB 878 (Hayden) – Felony Murder……. 33

6. Domestic Violence

AB 59 (Cedillo) – Elder abuse: protective orders…… 1
AB 825 (Keeley) - Domestic violence: protective and restraining orders……. 13
AB 933 (Keeley) - Arbitration: domestic violence…… 17
SB 161 (Alpert) – Domestic violence: database searches……. 25
SB 218 (Solis) - Domestic violence…… 26

7. Evidence

SB 824 (Sher) – Tobacco-related illness: evidence…….. 31

INDEX
By Subject Matter

Page

8. Family Law

AB 196 (Kuehl) – Child support…….. 3
AB 380 (Wright) – Child support…… 4
AB 391 (Jackson) - Spousal support……. 5
AB 472 (Aroner) – Child support: administrative hearings and amnesty…… 6
AB 673 (Honda) – Child visitation and exchange program……11
AB 840 (Kuehl) – Child custody…… 14
AB 889 (Jackson) – Marriage rights fact sheet……16
AB 1614 (Wright) – Child support……. 21
AB 1671 (Assembly Judiciary Committee) – Family Code cleanup (Judicial Council-sponsored in part)…… 39
SB 240 (Speier)- Child support; family law facilitators…….. 26
SB 433 (Johnson) – Child custody evaluators…… 27
SB 542 (Burton) – Child support…… 28
SB 668 (Sher) – Family law: interstate child custody…… 29
SB 792 (Ortiz) - Child custody: reports of child abuse…….. 30
SB 874 (Escutia) – Family Law Information Centers…… 32
SB 1139 (Morrow) – Family law court files…….. 34
SB 1173 (Vasconcellos) – De facto parent visitation……. 35

9. Fees, Fines and Penalties

AB 177 (Papan) – Filing fees; children's waiting rooms……. 2
AB 1361 (Aroner) – Small claims: filing fees…… 20
SB 35 (Baca) – Filing fees; courthouse construction…….. 24
SB 449 (Burton) – Transcription fees…… 27

10. Judicial Officers

SB 976 (Perata) - Judges retirement…… 33
SB 1184 (Murray) – New Judgeships (Judicial Council-sponsored)…… 41

INDEX
By Subject Matter

Page

11. Juries

AB 592 (Migden) – Juror compensation (Judicial Council-sponsored)…… 38
SB 801 (Poochigian) - Jury service exemption: judges…… 30

12. Juvenile Delinquency

AB 575 (Aroner) – Juvenile delinquency: foster care…… 9
AB 744 (McClintock) - Juvenile court records: sealing and destruction…… 13

13. Juvenile Dependency

AB 247 (Kuehl) – Juvenile dependency: foster parents…….. 4
AB 645 (Honda) – Juvenile dependency: special education……. 10
AB 686 (Aroner) - Dependent children: termination of jurisdiction…… 12
SB 543 (Bowen) – Juvenile dependency: health records…… 28
SB 1226 (Johnnessen) – Juvenile dependency: review hearings……. 35

14. Probate and Mental Health

AB 925 (Hertzberg) – Conservators and guardians: statewide registry…….. 16
AB 1257 (Strom-Martin) – Involuntary commitments: judicial review…….. 19

15. Traffic

AB 1191 (Shelley) – Running stop sign: increased fine…… 19

INDEX
By Subject Matter

Page

16. Trial Court Funding

AB 233 (Dickerson) - Trial court funding: definition of court operations…… 3
AB 508 (Leonard) – Trial court funding……. 9
AB 876 (Maldonado) – Trial court funding: definition of court operations…….. 15
AB 1152 (Ackerman) – Courts: funding…… 18
SB 600 (Costa) – Trial court funding (Judicial Council-co-sponsored)……. 41

17. Trial Court Unification

SB 210 (Senate Judiciary Committee) - Trial court unification……... 40
SB 767 (Leslie) – Yuba and Sutter Courts: coordination of resources…….. 29

18. Miscellaneous

AB 486 (Wayne) – Administrative law: advisory interpretation…… 7
AB 1303 (Thomson) - Chief probation officer…… 19
AB 1519 (Floyd) - Chief probation officer……. 20

JUDICIAL COUNCIL OF CALIFORNIA
POLICY COORDINATION COMMITTEE
POSITIONS ON LEGISLATION
(1999-00)

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 59 (LM)	Cedillo/Legal Assistance for the Elderly, San Francisco	As amended May 28, 1999	AB 59 (Cedillo) – Elder abuse: protective orders Provides a mechanism for elder and dependent adults to obtain an emergency protective order under the Domestic Violence Protection Act (DVPA) against an unrelated person who is abusing them emotionally or physically. Authorizes an elder or dependent adult to seek personal conduct restraining orders, including residence exclusion and protective orders concerning financial abuse.	Neutral	Chaptered, Chapter 561, Stats. of 1999

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 177 (AW)	Papan/San Francisco Women Lawyer's Alliance	As amended March 9, 1999	AB 177 (Papan) - Filing fees; children's waiting rooms Provides that it is the policy of the state that each court endeavor to provide a children's waiting room in each court. Until January 1, 2010, this bill authorizes the county board of supervisors of any county to impose a surcharge of between $2 and $5 on various filing and motion fees to defray the cost of establishing and maintaining such waiting rooms.	No position. Seek amendments to make clear that costs associated with the establishment and operation of the waiting rooms are not court operations for the purposes of trial court funding and to clarify that the county, and not the court, is responsible for any legal liabilities resulting from the establishment or operation of the waiting rooms. Staff will bring AB 177 back to the Policy Committee for further review and to report on efforts to get amendments and other efforts underway related to a general fee increase proposal.	Chaptered, Chapter 115, Stats. of 1999

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 196 (LM)	Kuehl/Author	As amended May 18, 1999	AB 196 (Kuehl) – Child Support Establishes the Department of Child Support Enforcement and provides for the appointment of an Undersecretary of Child Support Enforcement. Creates a new county Department of Child Support Services and requires that the local Title IV-D child support program be transferred from the district attorney to the new department by June 30, 2002. Establishes a pilot program in six counties transferring responsibility for enforcement of child support obligations to the Franchise Tax Board. Requires the Undersecretary to convene a task force to evaluate the benefits of an administrative process for some or all aspects of child support enforcement that includes a Judicial Council representative. **UPDATE 7/20/99: AMENDMENTS ON 7/14/99 DELETE REQUIREMENT FOR A TASK FORCE TO EVALUATE BENEFITS OF AN ADMINISTRATIVE PROCESS FOR CHILD SUPPORT CASES**.	No position	Chaptered, Chapter 478, Stats. of 1999
AB 233 (AW)	Dickerson/ Shasta County	As introduced	AB 233 (Dickerson) - Trial court funding: definition of court operations AB 233 expands the definition of trial court operations to include (1) the costs associated with transporting and housing detainees between the jail and the courthouse, and (2) all costs associated with bailiff services and security personnel requested by the court. Also see AB 876 (Maldonado) which would expand the definition of trial court operations to include all costs associated with the annual trial conducted to continue the commitment of sexually violent predators.	Oppose	Assembly Judiciary Committee (2-year bill)

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 247 (LM)	Kuehl/Author	As amended March 24, 1999	AB 247 (Kuehl) – Juvenile Dependency: foster parents Expands the rights of foster parents to participate in juvenile court proceedings concerning a foster child in their care. **UPDATED 9/1/99: AMENDMENTS ON 8/25/99 LIMIT REPORTS PROVIDED TO PARENTS TO COUNTY SOCIAL WORKERS REPORTS AND CHANGE REFERENCES TO JUDICIAL OFFICER. AMENDMENT CHANGES COUNCIL'S POSITION TO SUPPORT.**	Support if amended to clarify the types of reports and recommendations of which the foster parents are entitled to a summary and change the references to "judge or referee" to judicial officer".	Vetoed by the Governor
AB 380 (LM)	Wright/Author	As amended July 2, 1999	AB 380 (Wright) – Child support Contains several provisions related to child support. Expands time period to set aside paternity and child support orders as specified. Repeals prohibition against hardship deduction for minor children in child support guideline formula when child is receiving welfare benefits. Amends family Code section 4009 to provide that initial support order may be made retroactive to the date of filing except in limited circumstances. Limits retroactivity of child support orders for children receiving welfare to one year from the date of filing of the complaint.	No position	Chaptered, Chapter 653, Stats. of 1999

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 391 (LM)	Jackson/Family Equity Coalition	As introduced	AB 391 (Jackson) – Spousal support Provides that if, in a short-term marriage, the court orders spousal support for a greater or lesser period of time than one-half the duration of the marriage, the court shall provide an explanation for its order either orally or in writing. In a long-term marriage, requires the court to provide an explanation any time there is an order reducing support after a specified period or termination date. Also deletes the requirement that the court, when ordering spousal support, give an admonition to the parties that it is the goal of the state that each of the parties make reasonable good faith efforts to become self supporting. **UPDATED 4/29/99: AMENDMENTS ON 4/29/99 DELETE THE AMENDMENTS TO FAMILY CODE SECTION 4320(k) THAT RELATE TO THE COURT PROVIDING AN EXPLANATION WHEN ORDERING SPOUSAL SUPPORT AND CHANGE THE COUNCIL'S POSITION TO NEUTRAL.**	Oppose, unless amended to delete the amendments to Family Code section 4320(k) that relate to the court providing an explanation when ordering spousal support.	Chaptered, Chapter 846, Stats. of 1999
AB 472 (LM)	Aroner/Author	As amended April 5, 1999	AB 472 (Aroner) – Child support: administrative hearings and amnesty Provides either the custodial or non-custodial parent the right to a fair hearing by the Department of Social Services (DSS) to address accounting, distribution, and arrearage disputes concerning child support collections. Additionally creates a one-time child support amnesty program whereby a child support obligor who stays current with current support payments can, until the child reaches the age of majority, have his or her arrearages owed to the state forgiven. **UPDATED 9/14/99: AMENDMENTS ON 9/14/99 DELETE CHILD SUPPORT AMNESTY PROGRAM.**	No position	Chaptered, Chapter 803, Stats. of 1999

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 476 (JC)	Baugh/ California Bail Agents Association	As introduced	AB 476 (Baugh) - Bail: procedure Requires that if a verdict is rendered against a defendant who is out on bail, the defendant shall be remanded to the proper officer to await the judgment of the court unless the court finds by clear and convincing evidence that the defendant is not a flight risk. Upon this finding, the court would be authorized to allow the defendant to remain out on bail. **UPDATED 7/20/99: AMENDMENTS ON 7/6/99 REQUIRE ONLY THAT THE COURT CONSIDER CERTAIN FACTORS BEFORE ALLOWING A CONVICTED DEFENDANT TO REMAIN FREE ON BAIL AND CHANGED THE COUNCIL'S POSITION TO NEUTRAL.**	Oppose	Chaptered, Chapter 570, Stats. of 1999

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 486 (NR)	Wayne/ California Law Revision Commission	As introduced	AB 486 (Wayne) – Administrative law: advisory interpretation Authorizes state agencies to issue an "advisory interpretation" and prescribes a procedure by which a state agency may communicate, in a non-binding, advisory form, the agency's interpretation of a statute, regulation, agency order, court decision, or other provision of law that the agency enforces or administers. Also provides that any interested party may request in writing that the Office of Administrative Law (OAL) review the advisory interpretation pursuant to specified procedures. After the OAL has reviewed or declined to review, the interested party may obtain a judicial declaration as to the validity or invalidity of an advisory interpretation by bringing an action for declaratory relief in the superior court pursuant to the Code of Civil Procedure. **UPDATED 7/20/99: AMENDMENTS ON 6/30/99 STRIKE PROVISION PROVIDING DECLARATORY RELIEF AND CHANGE THE COUNCIL'S POSITION TO NEUTRAL.**	Oppose unless amended to strike section allowing for declaratory relief.	Vetoed by the Governor

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 501 (JC)	Nakano/Los Angeles District Attorney	As introduced	AB 501 (Nakano) - Criminal procedure: continuances: career criminal prosecutions Requires the superior court, when scheduling a trial date at an arraignment in a case prosecuted pursuant to the California Career Criminal Prosecution Program, to make reasonable efforts to avoid setting the trial on the same day that another trial is set involving the same prosecuting attorney. The bill expands the grounds for good cause for a continuance of a trial to include a case prosecuted pursuant to the California Career Criminal Prosecution Program where the prosecuting attorney assigned to the case has another hearing in that court or another court.	Oppose	Chaptered, Chapter 382, Stats. of 1999
AB 502 (AW)	Wildman/ California Independent Employees Association	As introduced	AB 502 (Wildman) – Contracting Prohibits a county from contracting for special services to provide the same level of services presently performed by its civil service employees. **UPDATED 7/20/99: AMENDMENTS ON 5/6/99 DELETE THIS PROVISION AND INSTEAD PROVIDE THAT CURRENT LAW ALLOWING THE BOARD OF SUPERVISORS TO CONTRACT FOR CERTAIN SERVICES SHALL NOT BE INTEREPRETED TO SUPERCEDE LAWS GOVERNING COLLECTIVE BARGAINING AND CHANGE THE COUNCIL'S POSITION TO NEUTRAL.**	Oppose	Senate Local Government Committee (Amended 5/6/99) (2-year bill)

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 508 (AW)	Leonard/Author	As introduced	AB 508 (Leonard) - Trial court funding Reduces the trial court funding payment for San Bernardino County by $439,000. **UPDATED 4/29/99: AMENDMENTS ON 4/9/99 PROVIDE AN APPROPRIATION TO BACKFILL THE TRIAL COURT TRUST FUND AND CHANGE THE COUNCIL'S POSITION TO NEUTRAL.**	Oppose unless amended to provide an appropriation from the state general fund to offset this reduction.	Vetoed by the Governor
AB 575 (LM)	Aroner/Author	As amended April 28, 1999	AB 575 (Aroner) – Juvenile Delinquency: foster care Requires the probation department to provide notice to foster parents and other specified individuals before a child in foster care may be taken into custody that may result in the child being adjudged a ward of the court. Requires that a case plan be prepared for wards that are at risk of entering foster care. Requires that child welfare services be provided to wards that are in foster care and requires a review of their status at least once every 6 months.	Support in concept	Chaptered, Chapter 997, Stats. of 1999
AB 625 (JC)	Olberg/Author	As introduced	AB 625 (Olberg) – Death sentence: waiver of automatic appeal Provides that any person who is sentenced to death for murder may waive the automatic appeal to the Supreme Court if the superior court determines that the waiver is made knowingly, intelligently, and voluntarily.	Oppose	Died

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 645 (LM)	Honda/Author	As amended June 1, 1999	AB 645 (Honda) – Juvenile Dependency: special education Requires the court, Court Appointed Special Advocates (CASA), probation officers, and social workers to take specified actions to ensure that children under the jurisdiction of the juvenile court receive special education and related services as applicable. Also requires the Judicial Council to include information about educational rights and responsibilities in its rule on CASA training.	Support and refer to the Family and Juvenile Law Advisory Committee to discuss possible rule of court that requires training for court appointed counsel in dependency cases concerning special education and related services.	Vetoed by the Governor
AB 662 (JC)	Wesson/Los Angeles District Attorney	As amended April 15, 1999	AB 662 (Wesson) - Asset forfeiture Among other things, requires the prosecuting agency in a proceeding involving real property, at the time of filing a petition of forfeiture, to record a *lis pendens* in each county in which the real property is situated, and requires the court to endeavor to discover all bona fide purchasers or encumbrancers for value and protect their interests. **UPDATED 7/20/99: AMENDMENTS ON 6/28/99 CONTAIN THE COUNCIL'S REQUESTED CLARIFICATION LANGUAGE AND CHANGED THE COUNCIL'S POSITION TO NEUTRAL.**	Oppose unless amended to clarify that the party invoking the forfeiture proceedings has the obligation to "endeavor to discover all bona fide purchasers or encumbrancers for value."	Vetoed by the Governor

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 673 (LM)	Honda/ California Alliance Against Domestic Violence	As introduced	AB 673 (Honda) – Child visitation and exchange program Authorizes the courts to establish grant-funded programs for supervised visitation and exchange, parent education, and group counseling, beginning October 1, 2000. States the Legislature's intent to provide federal grant funds, and state matching funds (not to exceed $1.1 million) for these programs. Authorizes courts to contract with qualified nonprofit agency providers for the specified services. **UPDATED 4/19/99: AMENDMENTS ON 4/5/99 PERMIT THE JUDICIAL COUNCIL TO APPLY FOR THE FEDERAL FUNDS DIRECTLY. COUNCIL'S POSITION IS CHANGED TO SUPPORT.** **UPDATED 9/1/99: AMENDMENTS ON 5/28/99 DELETE THE LEGISLATIVE INTENT LANGUAGE TO APPROPRIATE STATE MATCHING FUNDS.**	Support if amended to permit the council to apply for the federal funds directly rather than the Department of Social Services.	Chaptered, Chapter 1004, Stats. of 1999
AB 686 (LM)	Aroner/Youth Law Center	As amended April 27, 1999	AB 686 (Aroner) - Dependent children: termination of jurisdiction Requires the county welfare department to ensure that a dependent child who has reached the age of majority is present in court for any hearing to terminate jurisdiction unless the child does not wish to be present or cannot be located. Requires the county department to submit a report verifying that certain information, documents, and services have been provided to a dependent child who has reached the age of majority. The court cannot terminate jurisdiction because a child has reached the age of majority unless it finds that the county welfare department has offered or attempted to offer specified services.	Support	Senate Judiciary Committee (Amended 8/24/99) (2-year bill)

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 744 (JC)	McClintock/ Los Angeles District Attorney	As amended April 13, 1999	AB 744 (McClintock) - Juvenile court records: sealing and destruction Adds new provisions regarding the sealing of juvenile court records that would be applicable in those cases where a minor is detained, arrested, or cited but no accusatory pleading or petition is filed, or in those cases where an accusatory pleading or petition is filed but is not sustained. In those cases, the bill requires the law enforcement agency and probation officer to seal a minor's records upon a determination by them or by the court, following a hearing or on motion, that the minor is factually innocent. Also requires in certain cases the issuance of a written declaration to the minor regarding his or her factual innocence, and would specify procedures and timeframes to be followed by law enforcement and other agencies with respect to the sealing and destruction of juvenile court records.	Oppose	Chaptered, Chapter 167, Stats. of 1999
AB 825 (LM)	Keeley/ Department of Justice	As amended April 5, 1999	AB 825 (Keeley) - Domestic violence: protective and restraining orders Provides that courts issuing protective orders to prevent domestic violence in specified actions must use forms adopted by the Judicial Council and that only those protective orders issued on such forms may be transmitted to the Department of Justice for inclusion in the Domestic Violence Restraining Order System.	Support	Chaptered, Chapter 661, Stats. of 1999

NOTE: The “version” column indicates the version of the bill on which the PCLC position was based. The “description” column describes that version. Any change to the position or other important information is indicated as an “update” immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 840 (KH)	Kuehl/ California Alliance Against Domestic Violence	As introduced	AB 840 (Kuehl) – Child custody Creates a rebuttable presumption that an award of child custody to a person who is found by a court to have perpetrated domestic violence is detrimental to the best interest of the child. States that the court must consider violence alleged to have occurred within the previous 10 years. Lists six factors for the court to consider to overcome the presumption. **UPDATED 7/20/99: AMENDMENTS ON 8/27/99 INCLUDE THE COUNCIL'S SUGGESTED AMENDMENTS. HOWEVER, THE COUNCIL REMAINS OPPOSED.**	Oppose but amend as follows: (1) Specify that the presumption is triggered when the person seeking custody has perpetrated domestic violence against the other person seeking custody; (2) Change the timeframe for the court's consideration of allegations of domestic violence from 10 years to 5 years; (3) Clarify that a finding of domestic violence must be made by the court in the custody proceeding.	Chaptered, Chapter 445, Stats. of 1999
AB 858 (NR)	Kuehl/Consumer Attorneys of California	As introduced	AB 858 (Kuehl) - Pre-dispute binding arbitration Prohibits a merchant or employer from requesting or requiring the consumer to waive any statutory, constitutional, or common law rights or protections in order to enter into a defined consumer contract. **UPDATED 9/1/99: AMENDMENTS ON 7/18/99 NARROW THE BILLS APPLICATION TO EMPLOYMENT CONTRACTS, AND EXCLUDES CONTRACTS THAT WOULD COMPENSATE THE EMPLOYEE $150,000 A YEAR OR MORE.** **UPDATED 9/10/99: AMENDMENTS ON 9/10/99 DELETE ENTIRE SUBJECT MATTER AND MAKE AB 858 NO LONGER OF INTEREST TO THE JUDICIAL COUNCIL.**	No Position	Assembly refused to concur in Senate Amendments (Amended 9/10/99) (2-year bill)

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 876 (AW)	Maldonado/San Luis Obispo County	As introduced	AB 876 (Maldonado) - Trial court funding: definition of court operations AB 876 expands the definition of trial court operations to include all costs associated with the annual trial conducted to continue the commitment of sexually violent predators. Also see AB 233 (Dickerson) which would expand the definition of trial court operations to include (1) the costs associated with transporting and housing detainees between the jail and the courthouse, and (2) all costs associated with bailiff services and security personnel requested by the court. **UPDATED 4/19/99: AMENDMENTS ON 4/8/99 DELETE THE PROVISIONS OF CONCERN TO THE COUNCIL AND CHANGE THE COUNCIL'S POSITION TO NEUTRAL.**	Oppose	Assembly Public Safety Committee (Amended 4/8/99) (2-year bill)

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 889 (LM)	Jackson/Author	As introduced	AB 889 (Jackson) – Marriage rights fact sheet Adds Family Code section 351.5 to require the Judicial Council to develop a marriage rights fact sheet that addresses the rights and obligations of married persons including property rights, obligations to children, domestic violence and other issues. Requires that the Judicial Council develop, distribute, and post the fact sheet on the website within 9 months of the effective date of the legislation. Requires the fact sheet to be made available in English, Spanish, and other languages. **UPDATE 8/24/99: AMENDMENTS ON 8/24/99 ADDRESS CAMERA READY COPY, DELAYED IMPLEMENTATION AND OTHER ISSUES RAISED BY THE COUNCIL AND CHANGED THE COUNCIL'S POSITION TO SUPPORT CONTINGENT UPON FUNDING.**	Support if amended to (1) delete section 351.5(b); (2) provide that the council makes available camera-ready copies to the counties instead of copies as requested by the counties; (3) require that the fact sheet be ready for distribution by July 1, 2001, in order to conform with the regular Judicial Council cycles for rules and forms; and (4) contingent upon funding.	Vetoed by the Governor
AB 925 (NR)	Hertzberg/ Author	As amended May 20, 1999	AB 925 (Hertzberg) – Conservators and Guardians: Statewide Registry Creates a Statewide Registry for private conservators and guardians.	Support if amended to include trustees as well as conservators and guardians in the Statewide Registry.	Chaptered, Chapter 409, Stats. of 1999
AB 933 (LM)	Keeley/ California Alliance on Domestic Violence	As amended April 27, 1999	AB 933 (Keeley) - Arbitration: domestic violence Prohibits the court from submitting property issues to arbitration in family law cases if domestic violence is alleged or a protective order is in effect unless the alleged victim so requests. Also permits a victim of domestic violence to take a support person to any arbitration orientation or session. **UPDATED 7/20/99: AMENDMENTS ON 8/16/99 ADDRESS THE COUNCIL'S CONCERNS AND CHANGE THE COUNCIL'S POSITION TO NEUTRAL.**	Oppose. Support if amended to provide that the court may submit the matter to arbitration in a case in which a domestic violence protective order is in effect if the court determines that the arbitration will take place in the courthouse or other secure location.	Vetoed by the Governor

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 1023 (AW)	Margett/Trial Court Alliance for Choice and Economy	As introduced	AB 1023 (Margett) – Electronic recording Authorizes the Judicial Council to adopt rules of court to permit the use of audio or video recording as a means of producing the verbatim record. Requires the Judicial Council to adopt rules to apportion the half-day fee for a certified shorthand reporter or for electronic recording, or both.	Support	Assembly Judiciary Committee (2-year bill)
AB 1131 (NR)	Ackerman/ California Asset Buyers Association	As introduced	AB 1131 (Ackerman) - Small claims: assignees Authorizes the filing or maintenance of a claim in small claims court by an assignee that holds legal title to a claim for which the total amount requested does not exceed $1,500. Also authorizes an assignee to present evidence of the assignment and amount of such a claim by declaration. **UPDATED 9/1/99: AMENDMENTS ON 5/6/99 DELETE THE LIMIT OF $1,500.**	Oppose	Senate Judiciary Committee (Amended 8/16/99) (2-year bill)

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 1152 (AW)	Ackerman/ Orange County	As introduced	AB 1152 (Ackerman) – Courts: funding Provides that the state shall be solely responsible for ensuring adequate cash flow to the trial courts and authorizes the State Controller to make direct short-term loans to courts for cash flow purposes. Provides that the terms and conditions shall be negotiated between the individual court and the Controller. Expands the definition of trial court operations to include administrative costs, overhead, and training costs associated with court security services. Authorizes counties to request a reduction in their trial court funding maintenance of effort payments based on the inclusion of facility maintenance costs in fiscal year 1994-95. Requires the court, in determining the just and reasonable compensation of the public guardian from the estate of a ward or conservatee, to allow an amount sufficient to compensate for actual hourly costs as determined by a study of the county auditor, or guidelines established by the county auditor. **UPDATED 4/19/99: AMENDMENTS ON 4/15/99 DELETE MOST OF THE BILLS PROVISIONS AND PROVIDE THAT THE COURT SHALL CONSIDER CERTAIN FACTORS DETERMINING JUST AND REASONABLE COMPENSATION OF THE PUBLIC GUARDIAN. THE AMENDMENTS ALSO AUTHORIZE THE COURT TO DEPOSIT FAMILY LAW FACILITATOR ACT FUNDS INTO THE LOCAL FISCAL COURT OPERATING FUND AND CHANGE THE COUNCIL'S POSITION TO NEUTRAL.**	Oppose	Chaptered, Chapter 866, Stats. of 1999

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 1191 (TW)	Shelley/City and County of San Francisco	As amended May 3, 1999	AB 1191 (Shelley) – Running Stop Sign: increased fine Authorizes a city or county, by ordinance, to make the punishment a $100 fine for failure to properly stop at a stop sign within the jurisdiction of the city or county.	Oppose	Senate Public Safety Committee (Amended 5/3/99) Failed passage – Reconsideration granted (2-year bill)
AB 1257 (NR)	Strom-Martin/Calif. Judges Assn.	As amended April 15, 1999	AB 1257 (Strom-Martin) - Involuntary Commitments: judicial review States legislative intent to provide courts with uniform procedures for conducting hearings on involuntary commitments to state developmental facilities.	Support in concept	Senate Rules Committee (Amended 4/15/99) (2-year bill)
AB 1303 (AW)	Thomson/ Solano County & California Association of Counties	As introduced	AB 1303 (Thomson) - Chief probation officer Permits the board of supervisors of any county to appoint or remove the adult probation officer where authorized by local ordinance. (See also AB 1519) **UPDATED 9/10/99: AMENDMENTS ON 9/10/99 DELETE ENTIRE SUBJECT MATTER AND REMOVES THE COUNCIL'S OPPOSITION.**	Oppose	Senate Public Safety Committee (Amended 9/10/99) (2-year bill)

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 1361 (AW)	Aroner/Alameda County	As introduced	AB 1361 (Aroner) - Small claims: filing fees Increases the small claims filing fee from $20 to $25 if the party has not previously filed more than 12 claims, and from $35 to $40 if the party has filed more than 12 claims in each court within the previous 12 months. Also increases from $6 to $11, and from $14 to $19 respectively, the dollar amount of the small claims filing fee that counties must deposit in a special account, part of which is used to fund small claims advisors and part for court and court-related programs. Otherwise, distribution of the fee remains unchanged, with $5 going to the Trial Court Trust Fund and $9 to the county. **UPDATE 5/20/99: AMENDMENTS ON 5/20/99 CHANGE THE COUNCIL'S POSITION TO NEUTRAL.**	Oppose	Vetoed by the Governor
AB 1519 (AW)	Floyd/State Coalition of Probation Officers	As introduced	AB 1519 (Floyd) - Chief probation officer Eliminates existing provisions governing the adult probation officer and the probation officer, and instead provides for the election of the chief probation officer by a majority of the voters. (See also AB 1303)	Oppose	Assembly Public Safety Committee (2-year bill)
AB 1614 (LM)	Wright/Author	As amended July 8, 1999	AB 1614 (Wright) – Child support Provides that the respondents/defendants in child support cases in which the district attorney is providing child support services would not be required to pay a filing fee to file a response or to file a motion. Provides that parties who qualify for informa pauperis shall not be charged fees for appointed counsel in paternity cases. **UPDATED 9/1/99: AMENDMENTS ON 8/31/99 REMOVED FILING FEE PROVISIONS FROM THE BILL AND CHANGE COUNCIL'S POSITION TO NEUTRAL.**	Oppose unless amended to provide for an appropriation to back fill the loss to the trial court trust fund.	Senate Judiciary Committee (Amended 8/31/99) (2-year bill)

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 1675 (NR)	Assembly Judiciary Committee/ California Anti-Strategic Lawsuits Against Public Participation	As introduced	AB 1675 (Assm. Jud. Comm) - Appeals: Strategic lawsuits against public participation Allows an appeal to be taken directly from a court order denying a special motion to strike a cause of action against a person arising from any act of that person in furtherance of his or her right of petition and free speech in connection with a public issue. Upon the filing of such an appeal, stays all proceedings on any cause that is the subject of the appeal unless the plaintiff demonstrates to the appellate court probable success on the appeal and that the plaintiff will otherwise sustain irreparable injury. Requires any party who files or opposes such a special motion to strike to promptly transmit various documents to the Judicial Council by e-mail or fax, and requires the Judicial Council to maintain a public record of this information, including posting it on the Judicial Council web page. **UPDATED 7/20/99: AMENDMENTS ON 5/28/99 DELETE WEBPAGE REQUIREMENT BUT DO NOT REMOVE THE COUNCIL'S OPPOSITION.**	Oppose	Chaptered, Chapter 960, Stats. of 1999

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
AB 1676 (NR)	Assembly Judiciary Committee/ Author	As introduced	AB 1676 (Assm. Jud. Comm) - Stipulated reversals Prohibits an appellate court from reversing or vacating a duly entered judgment upon an agreement or stipulation of the parties unless the court finds that there is no reasonable possibility that the interests of nonparties or the public will be adversely affected by the reversal, and that the reasons of the parties for requesting reversal outweigh the erosion of public trust that may result from the nullification of a judgment and the risk that the availability of stipulated reversal will reduce the incentive for pretrial settlement.	No position	Chaptered, Chapter 508, Stats. of 1999
ACA 9 (JC)	Olberg/Author	As introduced	ACA 9 (Olberg) – Supreme Court: criminal cases Expands the membership of the Supreme Court by creating a separate Division of Criminal Appeals, consisting of the Presiding Justice of the division and 6 associate justices, which would exercise the jurisdiction of the Supreme Court in appeals when judgment of death has been pronounced, and in habeas corpus proceedings and proceedings for extraordinary relief in criminal cases. The bill makes corresponding changes with respect to the transfer or review of court of appeal cases.	Oppose	Assembly Public Safety Committee (Amended 4/22/99) Failed passage – Reconsideration granted (2-year bill)

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
SB 35 (AW)	Baca/San Bernardino County	As introduced	SB 35 (Baca) - Filing fees; courthouse construction Authorizes the board of supervisors to impose a surcharge of no more than $50 on specified civil filing fees in the superior court, except in the City and County of San Francisco and the County of Riverside. The bill requires revenues from these fees to be deposited into the Courthouse Construction Fund and used solely for the purposes authorized by the fund. **UPDATED 7/20/99: AMENDMENTS ON 6/9/99 PROVIDE THAT THE COUNTY OF SAN BERNARDINO MAY IIMPOSE A FEE OF UP TO $35 FOR COURT CONSTRUCTION.**	No position. Seek amendments. Staff will bring SB 35 back to the Policy Committee for further review and to report on efforts to get amendments and other efforts underway related to a general fee increase proposal.	Chaptered, Chapter 150, Stats. of 1999
SB 69 (JC)	Murray/Author	As introduced	SB 69 (Murray) - Criminal procedure: continuances: stalking Adds cases involving allegations of stalking to those cases in which a continuance may be granted in a criminal proceeding.	Oppose	Chaptered, Chapter 580, Stats. of 1999

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
SB 161 (KH)	Alpert/California Alliance Against Domestic Violence	As amended February 25, 1999	SB 161 (Alpert) - Domestic violence: database searches Requires the court, when considering the issuance of a temporary restraining order under the Domestic Violence Prevention Act, to cause a search to be conducted of specified criminal databases with respect to the proposed subject of the order. Also requires the court to notify law enforcement when the database search provides information that the person to be restrained has an outstanding warrant, or is on probation or parole, and requires law enforcement to take specified action in such instances. **UPDATED 9/14/99: AMENDMENTS ON 9/10/99 DELETE ALL PROVISIONS CONCERNING DOMESTIC VIOLENCE. BILL NOW PROVIDES FOR PAYMENT OF COSTS OF HOMICIDE TRIALS IN TUOLUMNE AND MARIPOSA COUNTIES FOR THE PELLOSO AND SUND MURDERS FROM FUNDS APPROPRIATED FOR LOCAL ASSISTANCE TO COUNTIES. CHANGES COUNCIL'S POSITION TO NUETRAL.**	Oppose unless amended to: (1) Permit each court and county to develop a local plan for compliance with the database search requirements. (2) Clarify that the court may issue a protective order without the database search results. (3) Clarify the timelines for the request and completion of the database search. (4) Clarify which local agencies need to be informed of the results of the database search. (5) Provide the courts with funding for and access to the CLETS system for "read only" purposes. (6) Ensure that law enforcement has vetted the list of databases, that the search requirements are clear, and the databases are accessible. Support if amendments are taken.	Vetoed by the Governor

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
SB 218 (LM)	Solis/Los Angeles City Attorney and California Alliance Against Domestic Violence	As amended April 12, 1999	SB 218 (Solis) - Domestic violence Among other things, provides that a court may issue an unofficial translation of domestic violence restraining orders in a language other than English and requires the Judicial Council to make available specified forms in languages other than English, as the Judicial Council deems appropriate, by July 1, 2000. Requires the court to order a restrained party who appears at a hearing in a Domestic Violence Prevention Act action to surrender weapons as specified and makes other revisions to various domestic violence statutes. **UPDATED 9/1/99: AMENDMENTS ON 8/19/99 ADDRESS COUNCIL'S CONCERNS. BUDGET BILL CONTAINS $250,000 FOR DOMESTIC VIOLENCE FORMS TRANSLATIONS. COUNCIL'S POSITION CHANGED TO SUPPORT.**	Support if amended to provide that the Judicial Council make available information sheets about domestic violence protective orders that contain translations of the standard protective orders that are found in the Judicial Council domestic violence order forms and contingent on funding.	Chaptered, Chapter 662, Stats. of 1999
SB 240 (LM)	Speier/Author	As amended July 13, 1999	SB 240 (Speier) – Child support Makes various amendments that relate to child support, including amendments to the Family Law Facilitator Act. Provides an appropriation to increase funding for the Family Law Facilitator program by $2.115 million ($1.41 million Federal Funds, $705,000 General Fund).	Support	Chaptered, Chapter 652, Stats. of 1999

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
SB 433 (KH)	Johnson/Author	As introduced	SB 433 (Johnson) – Child custody evaluators Requires the Judicial Council to adopt a rule of court by January 1, 2002 that establishes education, training, and licensure requirements for child custody evaluators. Also requires the rule to provide for the certification of qualified child custody evaluators. By January 1, 2005, requires all child custody evaluators to comply with the education, training, and licensure requirements, unless both parties have stipulated, and the court has consented, to an evaluator who does not meet the requirements. **UPDATED 4/29/99: AMENDMENTS ON 4/20/99 REQUIRE THE CHILD CUSTODY EVALUATOR TO CERTIFY UNDER PENALTY OF PERJURY THAT HE OR SHE POSSESSES LICENSE IN GOOD STANDING AND CHANGES THE COUNCIL'S POSITION TO SUPPORT CONTINGENT ON FUNDING.**	Oppose unless amended to require the child custody evaluator to certify under penalty of perjury that he or she possesses a license in good standing, and meets the other requirements of the rule; support contingent on funding.	Chaptered, Chapter 932, Stats. of 1999
SB 449 (AW)	Burton/ California Court Reporters Association	As introduced	SB 449 (Burton) – Transcription fees Increases transcription fees for an original printed copy from $0.85 to $1.15 for each one hundred words (or $2.13 to $2.88 per page). Reduces the fee for each copy purchased by the party buying the original from $0.15 to $0.10 for each one hundred words (or $0.38 to $0.25 per page). As such, the court cost per page for an original and two copies of a certified transcript would increase by roughly $0.50.	Oppose unless amended to provide funding to offset the cost of the increased transcript fees.	In joint conference committee (2-year bill)

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
SB 542 (LM)	Burton/Author	As amended May 6, 1999	SB 542 (Burton) – Child Support Establishes a separate and independent Department of Child Support Enforcement to administer all services and perform all functions necessary to establish, collect, and distribute child support. Designates the Department of Child Support Enforcement as the single organizational unit to administer the state plan for securing child, spousal, and medical support and determining paternity. Requires each county to establish a new county department of child support services. Transfers responsibility for administration of the local Title IV-D child support program from the district attorney to the new local department in every county by July 31, 2003.	No position	Chaptered, Chapter 480, Stats. of 1999
SB 543 (LM)	Bowen/Author	As amended April 21, 1999	SB 543 (Bowen) – Juvenile Dependency: health records Provides that if a child is adjudged a dependent of the court and is taken from the physical custody of a parent, the parent shall have no authority to consent to the administration of psychotropic medication for that child unless the court makes an order to the contrary to protect the health and safety of the child. Provides, however, that the court may independently order the administration of such medication based upon a request from a physician. Requires that the child protective agency or probation department provide the minor's health, mental health, and education records to the foster parent within 10 days of placement. Requires the foster parent to maintain these records while the child is in placement.	Support	Chaptered, Chapter 552, Stats. of 1999

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
SB 668 (LM)	Sher/California Commission on Uniform State Laws	As amended April 12, 1999	SB 668 (Sher) – Family law: interstate child custody Repeals the Uniform Child Custody Jurisdiction Act (UCCJA) and enacts the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). Adoption of the UCCJEA would conform state law to the federal Parental Kidnapping Prevention Act (PKPA), which was enacted after the UCCJA.	Support	Chaptered, Chapter 867, Stats. of 1999
SB 767 (KH)	Leslie/Sutter and Yuba Courts	As proposed to be amended	SB 767 (Leslie) – Yuba and Sutter Courts: coordination of resources Permits the courts in Sutter and Yuba counties to coordinate across county lines so that family law, traffic, and small claims cases filed in either county may be heard in one centralized location. Removes statutory impediments to allowing a court in one of those two counties to hear cases filed in the other county. The program would be fully implemented through a Judicial Council rule. **UPDATED 9/1/99: AMENDMENTS ON 7/15/99 DELETED THESE PROVISIONS FROM BILL AND CHANGED COUNCIL'S SUPPORT POSITION TO NO POSITION.**	Support	Chaptered, Chapter 1003, Stats. of 1999

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
SB 792 (LM)	Ortiz/Author	As amended April 20, 1999	SB 792 (Ortiz) - Child custody: reports of child abuse Requires the court to appoint a team of specified persons to investigate allegations of child sexual abuse arising in any family law proceeding concerning child custody or visitation. Costs for the investigation are to be borne by the parties. If the court determines that the parties are unable to pay all or a portion of the costs, the county is responsible for the costs. **UPDATED 9/14/99: COUNCIL CHANGED POSITION TO OPPOSE ON 8/28/99. BILL AMENDED ON 9/2/99 TO DELETE MANDATE FOR COURT TO APPOINT SEXUAL ABUSE EVALUATORS AND CHANGED THE COUNCIL'S POSITION TO NEUTRAL.**	Support if amended to address confidentiality issues; to provide a time frame for submission of reports; to clarify whether the costs are court operations or county costs; and contingent on funding.	Chaptered, Chapter 985, Stats. of 1999
SB 801 (TW)	Poochigian/ Author	As introduced	SB 801 (Poochigian) - Jury service exemption: judges Exempts an active judge of a court of record from jury service.	Oppose	Senate Judiciary Committee Failed passage – Reconsideration granted (2-year bill)
SB 824 (NR)	Sher/Author	As introduced	SB 824 (Sher) – Tobacco-related illness: evidence Provides that in any aggregate or class action brought by a public entity or other plaintiff to recover damages or the value of benefits provided to individuals injured by a tobacco-related illness caused by the tortious conduct of a tobacco company or its successor in interest, the public entity or other plaintiff may use a statistical compilation to show the correlation between tobacco use and resulting illnesses to show proof of causation and damages.	Oppose unless amended to clarify that the court has discretion to deny admission to statistical compilation evidence if no proper foundation has been established, and clarify that both the plaintiff and defendant may introduce statistical compilations into evidence.	Senate Floor (Amended 4/13/99) Refused passage – Reconsideration granted Placed on Inactive file (2-year bill)

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
SB 874 (KH)	Escutia/Author	As proposed to be amended	SB 874 (Escutia) - Family Law Information Centers Provides $1,000,000 for Family Law Information Center pilot projects to be administered by the Judicial Council. Permits the approval of ten or more pilot projects. Specifies that the information centers will provide information and services to low-income, unrepresented parties in family law matters, including domestic violence proceedings. Requires the supervisor of the information center to be an attorney in good standing. Specifies that the information center does not represent any party, and that no attorney-client relationship is created. Requires the information centers to provide interpreter services, and requires an evaluation of the pilot projects and a report to the Legislature, due March 1, 2003. **UPDATED 9/1/99: AMENDMENTS ON 7/8/99 AUTHORIZE AT LEAST 3 PILOT PROJECTS AND DELETE APPROPRIATION. BUDGET BILL CONTAINS $300,000 FOR THE PILOT PROJECTS.** **UPDATED 9/14/99: AMENDMENTS ON 9/2/99 LIMIT THE NUMBER OF PILOT PROJECTS TO THREE.**	Support	Chaptered, Chapter 886, Stats. of 1999

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
SB 878 (JC)	Hayden/Author	As introduced	SB 878 (Hayden) – Felony Murder Requires the court, in every case where the defendant is convicted of felony murder, to determine prior to imposing a sentence of first degree murder, whether imposition of a sentence of first degree murder is proportionate to the offense committed and to the defendant's culpability in committing that offense by considering specified criteria, and to state its reasons on the record. If the court determines that a sentence for first degree murder would be disproportionate, the bill would require the court to reduce the degree of the crime and to impose a sentence for second degree murder.	Oppose	Senate Floor Passage refused – Reconsideration granted Placed on inactive file (2-year bill)
SB 976 (AW)	Perata/Author	As amended April 6, 1999	SB 976 (Perata) - Judges retirement Allows a judge leaving office on disability retirement to earn income in occupations other than those similar to judging, and eliminates this restriction on earning income when a judge reaches retirement age. Allows judges who are eligible to retire to pre-select a retirement death benefit that allows the judge's survivor to receive the maximum benefit in the event the judge dies while in office. Provides the same continuation of survivor benefits for judges who retired under the Judges' Retirement Law II (JRS II) as those who retired under the Judges' Retirement Law I (JRS I).	Support	Chaptered, Chapter 671, Stats. of 1999

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
SB 1139 (LM)	Morrow/Author	As introduced	SB 1139 (Morrow) – Family law court files Makes court files related to dissolution of marriage, nullity of marriage, and legal separation confidential, subject to inspection only by specified persons.	Support if amended to (1) make the proposed rules regarding public access apply to all family law proceedings, including proceedings filed under the Domestic Violence Prevention Act and (2) allow the district attorney and counsel for children access to the files without having to obtain a court order.	Senate Judiciary Committee (2-year bill)
SB 1165 (NR)	Sher/City of San Jose	As amended April 5, 1999	SB 1165 (Sher) - Expedited judicial review Creates an expedited hearing procedure for judicial review of decisions by a local public agency regarding the issuance, revocation, suspension, or denial of a permit involving expressive conduct protected by the First Amendment. Specifically, an appeal of such a local administrative decision must be brought within 21 days of the local agency's final action. The hearing for review must be set within 25 calendar days of the date the petition is filed. The court must render its decision no later than 20 days after the matter is submitted, or 50 days after the date the petition is filed, whichever is sooner. Further provides that if the court is unable to meet the deadlines, the presiding judge shall request temporary assignment of a judicial officer to hear the matter. The expedited timelines may be waived by agreement of both parties.	No position	Chaptered, Chapter 49, Stats. of 1999

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
SB 1173 (LM)	Vasconcellos/ Author	As introduced	SB 1173 (Vasconcellos) – De facto parent visitation Permits the court to order visitation for a de facto parent if the court makes specified findings. Creates a presumption that visitation with a de facto parent is not in the best interest of the child if the de facto parent has engaged in acts of domestic violence toward the child or the child's parent or legal guardian within the previous five years. If visitation is granted the court can order the de facto parent to pay support for specified purposes. Also requires the Judicial Council to monitor implementation of this section and report back to the Legislature on two separate dates.	Oppose, unless amended to delete the request that the Judicial Council monitor and report on implementation.	Senate Appropriations Committee (Amended 6/1/99) Failed passage – Reconsideration granted (2-year bill)
SB 1226 (LM)	Johannessen/ Sacramento Child's Advocate	As amended May 18, 1999	SB 1226 (Johannessen) – Juvenile dependency: review hearings Requires that the status review hearing in juvenile dependency cases be held six months after the initial dispositional hearing, but not more than eight months from the date of detention. Provides that failure of the parent or guardian to participate regularly and make substantive progress in treatment programs constitutes prima facie evidence that return of the child to physical custody of the parent or guardian would be detrimental. **UPDATED 7/20/99: AMENDMENTS ON 7/15/99 CHANGE THE COUNCIL'S POSITION TO NEUTRAL.**	Oppose	Chaptered, Chapter 399, Stats. of 1999

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
SB 1254 (NR)	Schiff/Author	As introduced	SB 1254 (Schiff) - Confidential settlements Enacts the "Sunshine in the Courts Act." States, as a matter of public policy, that the court shall not enter or enforce any confidentiality agreement, settlement agreement, stipulated agreement, or protective order upon the settlement or conclusion of any action based on financial fraud, as defined, or on personal injury or wrongful death caused by a defective product or defined environmental hazard. Creates an exception to this rule if the court enters a final protective order regarding such information after a noticed motion. The basis for such exceptions would include: 1) information protected by the constitutional right to privacy; 2) protection of government whistleblowers or informants; and 3) information that met the legal test for secrecy as a trade secret or privileged information. Establishes a procedure for contesting a protective order issued pursuant to an exception and requires the court to confidentially notify all interested regulatory agencies with relevant jurisdiction if the court issues such an order. **UPDATED 5/20/99: AMENDMENTS ON 5/10/99 TO ELIMINATE NOTIFICATION REQUIREMENT; DELETE REQUIRED IN-CAMERA REVIEW; DEFINE "DEFECTIVE PRODUCT"; AND, ADDRESS CONCERNS REGARDING THE "EMPTY PLAINTIFF'S CHAIR" CHANGING THE COUNCIL'S POSITION TO SUPPORT.**	Support if amended to: (1) eliminate notification requirement; (2) delete required in-camera review; (3) define "defective product"; (4) allow court to consider all privileges when issuing protective order; (5) clarify use of term "evidence"; (6) apply provisions to dismissals as well as entry of judgments; and, (7) address concerns regarding the "empty plaintiff's chair."	Assembly Appropriations Committee (Amended 7/8/99) Held on suspense (2-year bill)

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.

Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/26/99
SB 1293 (NR)	Schiff/Author	As introduced	SB 1293 (Schiff) - Local property taxes: trial de novo In suits for refund of locally assessed property taxes, states that the court is not restricted to the administrative record and requires the trial court to consider all relevant admissible evidence. **UPDATED 9/10/99: AMENDMENTS ON 6/23/99 DELETE PROVISIONS RELATING TO LOCAL PROPERTY TAXES MAKING THE BILL NO LONGER OF INTEREST TO THE JUDICIAL COUNCIL.**	Oppose	Senate Judiciary Committee (Amended 6/28/99) Failed passage – Reconsideration granted (2-year bill)

NOTE: The "version" column indicates the version of the bill on which the PCLC position was based. The "description" column describes that version. Any change to the position or other important information is indicated as an "update" immediately following the description.