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Judicial Council of California

Administrative Office of the Courts
Office of Governmental Affairs
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MEMORANDUM

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

FROM Terrie F. Wilfong, Legislative Network Coordinator

DATE: October 5, 2000

RE: Final report on 1999-2000 legislation considered by the Policy Coordination and Liaison Committee

Following is a final status report on legislation considered by the Judicial Council's Policy Coordination and Liaison Committee (PCLC) during the 1999-00 legislative session, excluding bills chaptered or vetoed in 1999. 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 council's initial position.

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; (WH) Whitnie Henderson; (LM) Lee Morhar; (JP) Jody Patel; and (TW) Terrie F. Wilfong.

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

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POLICY COORDINATION COMMITTEE
POSITIONS ON LEGISLATION
(1999-00)

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AB 233 (JC)	Dickerson/ Shasta County	As introduced	Assembly Bill 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 **UPDATED 4/20/00: AMENDMENTS ON 1/12/00 DELETE THE PROVISIONS OF THE BILL AND INSTEAD CHANGE THE DEADLINE FOR A TRIAL COURT REVENUE REPORT. THE AMENDMENTS CHANGED THE COUNCIL'S POSITION TO SUPPORT.**	Chaptered, Ch. 15, Stats. of 2000

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 502 (RL)	Wildman/ California Independent Employees Association	As introduced	Assembly Bill 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.	Oppose **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.**	Vetoed by Governor
AB 592 (JC)	Migden/Judicial Council		Assembly Bill 592 (Migden) – Juror compensation (Judicial Council-sponsored) (See Appendix A, Page 43)		
AB 686 (LM)	Aroner/Youth Law Center	As amended April 27, 1999	Assembly Bill 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 **UPDATED 9/22/00: AMENDMENTS ON 8/25/00 AUTHORIZE THE COURT TO CONTINUE JURISDICTION WHEN THE CHILD REACHES THE AGE OF MAJORITY IF THE COURT FINDS THAT THE COUNTY WELFARE DEPARTMENT HAS NOT PROVIDED THE REQUIRED NOTICES**.	Chaptered, Ch. 911, Stats. of 2000

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 788 (JC)	Maldonado/ Author	As amended January 3, 2000	Assembly Bill 788 (Maldonado) – Juvenile court law: purpose Revises the purposes of the juvenile court law by specifying that dispositions accomplish community protection, accountability, and competency development of the minor. Sets forth five principles of operation for the juvenile justice system.	Support	Vetoed by Governor
AB 858 (LM)	Kuehl/Consumer Attorneys of California	As introduced	Assembly Bill 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.	No Position **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.**	Chaptered, Ch. 106, Stats. of 2000

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 876 (AW/JC)	Maldonado/San Luis Obispo County	As introduced	Assembly Bill 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.	Oppose **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.**	Died
AB 1023 (RL)	Margett/Trial Court Alliance for Choice and Economy	As introduced	Assembly Bill 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	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 1131 (LM)	Ackerman/ California Asset Buyers Association	As introduced	Assembly Bill 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.	Oppose **UPDATED 9/1/99:** **AMENDMENTS ON 5/6/99 DELETE THE LIMIT OF $1,500.** **UPDATED 6/7/00:** **AMENDMENTS ON 8/16/99 DELETE AUTHORIZATION FOR ASSIGNEE TO PRESENT EVIDENCE OF THE ASSIGNMENT AND THE AMOUNT OF THE CLAIM BY DECLARATION.** **UPDATED 8/3/00:** **AMENDMENTS ON 6/21/00 AUTHORIZE ASSIGNEE TO FILE A CLAIM IN SMALL CLAIMS COURT PROVIDED THE ASSIGNEE REDUCES THE CLAIM BY 5% AND PAYS THE SAME FILING FEE AS REQUIRED IN A LIMITED CIVIL CASE. CLAIMS BY AN ASSIGNEE WOULD BE LIMITED TO 5 PER DAY OR LESS IF PROVIDED BY LOCAL RULE. THE BILL WOULD BECOME INOPERATIVE ON 7/1/06.**	Died
AB 1191 (TW)	Shelley/City and County of San Francisco	As amended May 3, 1999	Assembly Bill 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	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 1257 (LM)	Strom-Martin/Calif. Judges Assn.	As amended April 15, 1999	Assembly Bill 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 **UPDATED 8/22/00: AMENDMENTS ON 6/13/00 SET FORTH PROCEDURES FOR INITIAL HEARINGS AND REVIEWS OF INVOLUNTARY COMMITMENTS.**	Vetoed by Governor
AB 1303 (JC)	Thomson/ Solano County & California State Association of Counties	As introduced	Assembly Bill 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)	Oppose **UPDATED 9/10/99: AMENDMENTS ON 9/10/99 DELETE ENTIRE SUBJECT MATTER AND REMOVES THE COUNCIL'S OPPOSITION.**	Died
AB 1519 (JC)	Floyd/State Coalition of Probation Officers	As introduced	Assembly Bill 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	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 1614 (LM)	Wright/Author	As amended July 8, 1999	Assembly Bill 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.	Oppose unless amended to provide for an appropriation to backfill the loss to the trial court trust fund. **UPDATED 9/1/99: AMENDMENTS ON 8/31/99 REMOVED FILING FEE PROVISIONS AND CHANGE COUNCIL'S POSITION TO NEUTRAL.** **UPDATED 8/22/00: AMENDMENTS ON 8/10/00 REMOVE ALL PROVISIONS EXCEPT SPECIFIED PROCEDURES FOR INMATES TO REQUEST MODIFICATION OF CHILD SUPPORT ORDERS. REQUIRES JUDICIAL COUNCIL TO ADOPT FORMS.**	Vetoed by Governor
AB 1669 (LM)	Assembly Judiciary Committee/ Judicial Council		Assembly Bill 1669 (Assembly Judiciary Comm.) – Civil procedure (Judicial Council-sponsored) (See Appendix A, Page 44)		
AB 1705 (LM)	Gallegos/Author	As amended February 22, 2000	Assembly Bill 1705 (Gallegos) – Domestic violence courts Creates the Domestic Violence Court Trust Fund and appropriates $15 million to provide assistance to local trial courts to create new domestic violence courts and to improve and expand existing domestic violence courts. The funds will be distributed through a grant process to be administered by the Judicial Council. Each court would be required to set forth a detailed plan about its use of the funding and the expected beneficial outcomes.	Support in concept	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 1754 (LM)	Pacheco/Author	As amended April 24, 2000	Assembly Bill 1754 (Robert Pacheco) – Courts: domestic violence departments Establishes the Domestic Violence Court Service Trust Fund in the State Treasury which would provide funding for probation and other court-ordered services for domestic violence courts. The Fund would be administered by the Judicial Council.	Support if amended to clarify that monies from the Domestic Violence Court Services Trust Fund could be used for offering appropriate services to child victims of domestic violence.	Died
AB 1767 (JC)	Zettel/San Diego District Attorney	As introduced	Assembly Bill 1767 (Zettel) - Crimes: exhibits Requires the court, at the conclusion of a criminal proceeding, to order destroyed any exhibits of property that were either illegally possessed or were used by a defendant in the commission of a crime.	Oppose unless amended to clarify that the provisions apply only to the defendant, and to clarify that the court has the authority but is not required to order legally held property destroyed. **UPDATED 6/7/00: AMENDMENTS ON 5/16/00 ELIMINATE BASIS FOR JUDICIAL COUNCIL'S OPPOSITION. CHANGES COUNCIL'S POSITION TO NUETRAL.**	Chaptered, Ch. 628, Stats. of 2000
AB 1897 (JC)	Davis/Los Angeles District Attorney	As introduced	Assembly Bill 1897 (Davis) – Identity theft: remedies Grants a person who reasonably believes he or she is a victim of identity theft the right to file a police report to that effect. The victim could then use that report to petition the court for a judicial determination of innocence if another has used their personal identifying information to commit a crime.	Support if amended to provide that jurisdiction would be where the conviction occurred.	Chaptered, Ch. 956, Stats. of 2000

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 1913 (JC)	Cardenas/ Author	As amended March 23, 2000	Assembly Bill 1913 (Cardenas) – Juveniles: crime prevention Requires that minors eligible for alternative supervision diversion, as a condition of program participation, be enrolled in a school program and provided alcohol and substance abuse services, counseling and mental health services. Gives local probation departments or juvenile crime diversion or gang prevention programs the responsibility of referring eligible minors arrested for misdemeanors to an appropriate program. Allocates additional funds for participating probation departments to evaluate the need for specific programs for female juvenile offenders, local juvenile crime diversion and gang prevention programs.	Support	Chaptered, Ch. 353, Stats. of 2000
AB 1920 (LM)	Jackson/Author	As introduced	Assembly Bill 1920 (Jackson) – Marriage: fact sheet Requires the Judicial Council to develop a fact sheet on marriage rights that addresses specified rights and obligations, to post the fact sheet on the Judicial Council website, and to distribute a camera-ready copy to each county clerk within 12 months of the effective date of this statute. Requires the fact sheet to be made available in English, Spanish, and any other foreign language as determined by the Judicial Council. Each county clerk is required to offer a copy of the fact sheet with each marriage license.	Support if amended to address funding, either through an appropriation in the budget, or a delayed implementation date. **UPDATED 6/28/00: AMENDMENTS ON 6/13/00 DELAY IMPLEMENTATION AS REQUESTED BY THE COUNCIL AND CHANGE THE COUNCIL'S POSITION TO SUPPORT.**	Vetoed by Governor

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 1950 (LM)	Rod Pacheco/ Author	As amended April 24, 2000	Assembly Bill 1950 (Rod Pacheco) – Conservatorships and guardianships Prohibits a guardian or conservator from referring work to or hiring any entity in which he or she has a financial interest. Bars any person (including court officials or employees, or any of their relatives) who is connected in any way with the conservatorship or guardianship process from accessing the estate for their own personal benefit. Provides that any surcharge that a guardian or conservator incurs due to a breach of his or her fiduciary duty may not be paid or offset against future fees from the ward or conservatee's estate. Requires that statements of accounts belonging to an estate be submitted with accountings filed with the court.	Support if amended to narrow the prohibition so that it applies only to court employees and relatives to the second degree, to provide that the prohibition does not apply to public sales, and clarify that the prohibition only applies to estates to which the court employee has a direct connection. **UPDATED 6/28/00: AMENDMENTS ON 6/13/00 NARROW PROHIBITIONS TO RELATIVES TO THE SECOND DEGREE AND PROVIDE THAT PROHIBITION DOES NOT APPLY TO PUBLIC SALES. CHANGES THE COUNCIL'S POSITION TO SUPPORT.**	Chaptered, Ch. 565, Stats. of 2000
AB 1955 (KH)	Migden	As amended August 18, 2000	Assembly Bill 1955 (Migden) - Extended Service Incentive Program Creates an Extended Service Incentive Program to encourage judges who have reached the maximum retirement benefit level to remain in public service. Requires the judge to serve at least three years past the time the judge is first eligible to retire. Judges would receive a lump-sum payment for their additional years of service, for a maximum of ten additional years.	Support	Chaptered, Ch. 961, Stats. of 2000

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 1987 (KH/LM/ WH)	Steinberg/CA Children's Lobby; CA Youth Connection, County Welfare Directors; CSAC; Juvenile Court Judges of CA	As amended April 4, 2000	Assembly Bill 1987 (Steinberg) – Dependent children: siblings Requires the juvenile court and social workers to give greater weight to considerations of placing dependent children who have siblings in the dependency system together with their siblings. Requires the juvenile court, when ordering that a child be removed from the custody of a parent and at subsequent hearings, to consider whether there are other siblings under the jurisdiction of the juvenile court. If there are siblings, the court must then consider the nature of the relationship between the siblings and the appropriateness of maintaining sibling relationships.	Support	Chaptered, Ch. 909, Stats. of 2000
AB 2124 (JC)	McClintock/ Author	As amended August 7, 2000	Assembly Bill 2124 (McClintock) - Crime Prevention: criminal justice information Creates a 24-member Integrated Justice Information System Task Force that would be required to establish a California integrated justice information system plan to be used for the purpose of maximizing utilization of modern information and communications technologies in routine information transactions among various federal, state, and local agencies.	Support	Vetoed by Governor

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 2155 (LM)	Pescetti/Author	As amended May 2, 2000	Assembly Bill 2155 (Pescetti) – Name change: minors Authorizes the legal guardian of a child to petition for a name change on the child's behalf, regardless of whether one or both of the minor's parents are living. Requires the petition to be filed in the juvenile court or the probate court, whichever was responsible for appointing the guardian. Requires that, where neither parent has signed the petition, the petition must include the names and addresses of the child's parents, if living. Requires the guardian to provide notice of the petition by personal service to any living parent of the child at least 30 days prior to the hearing. Requires the court hearing the petition to consider factors indicating that the child will remain under the guardian's care until the child reaches the age of majority.	Support in concept	Chaptered, Ch. 111, Stats. of 2000
AB 2172 (JC)	Aanestad/Author	As introduced	Assembly Bill 2172 (Aanestad) – Drug courts: search and seizure Provides that, as an agreed-upon condition of participating in a deferred entry of judgment or pre-guilty plea drug court program, a defendant may be required to submit to a search with or without probable cause. Stipulates that participation in the drug court program may prohibit the use of drugs or alcohol.	Support	Died
AB 2301 (KH)	Lowenthal/ Author	As amended April 25, 2000	Assembly Bill 2301 (Lowenthal) – State agencies: contracts Authorizes a state agency to contract with a joint powers authority to perform examinations related to the issuance of professional and vocational licenses and certifications.	Support	Chaptered, Ch. 62, Stats. 2000

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 2315 (LM/JC)	Mazzoni/Author	As amended May 3, 2000	Assembly Bill 2315 (Mazzoni) – Children of incarcerated parents Requires the Attorney General and the Secretary of the Health and Human Services Agency to convene a study group for the purpose of developing a model protocol that addresses how best to ensure the temporary and long-term safety, security, and care of children at the time of their parent's arrest. Requires probation officers to include in their report filed with the court prior to sentencing a discussion of whether or not a defendant over 18 years of age has children, and what arrangements exist for the care of the children if a defendant is to be incarcerated. Requires the court to inquire at the time of sentencing if there is an appropriate arrangement for child care. If there is not, the court would be authorized to refer the matter to the family or probate court, or to the child protective services agency for assessment, review, and appropriate disposition. Also requires the Secretary of the Health and Human Services Agency and the Secretary of the Adult and Youth Correctional Agency to convene the Advisory Committee on the Children of Incarcerated Parents. The committee would be required to develop recommendations on how to provide and target state and local services to children of incarcerated parents and caregivers.	Support if amended to eliminate all but the provisions convening the study group and the advisory committee. **UPDATED 6/28/00: AMENDMENTS ON 6/12/00 DELETE REQUIREMENTS FOR COURTS.** **UPDATED 8/22/00: COUNCIL'S POSITION IS CHANGED TO SUPPORT.**	Vetoed by Governor

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 2353 (WH)	Honda/Author	As proposed to be introduced	Assembly Bill 2353 (Honda) – California Indian Tribal Justice Act of 2000 Requires the Judicial Council to establish the Office of Tribal Justice Support (OTSJ) to be administered by the Administrative Office of the Courts. Additionally, the council would be required to appoint an Advisory Committee to the Office of Tribal Justice Support.	Support in concept, but seek the following amendment: That the bill not create a new office but that the AOC provide support services to Indian tribes in much the same manner as it provides them to trial courts, under the structure already in place. **UPDATE 5/1/00: AMENDMENTS ON 4/24/00 CHANGE THE COUNCIL'S POSITION TO SUPPORT.**	Died
AB 2375 (LM)	Honda/Author	As introduced	Assembly Bill 2375 (Honda) – Juveniles: 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. Also requires the Judicial Council to include information about educational rights and responsibilities in its rule on CASA training.	Support **UPDATED 9/22/00: AMENDMENTS ON 8/25/00 REQUIRE THE BOARD OF SUPERVISORS AND THE PRESIDING JUDGE OF THE SUPERIOR COURT TO AUTHORIZE THE SPECIFIED PROGRAM FOR SPECIAL EDUCATION SERVICES BEFORE IT CAN GO INTO EFFECT IN THE COUNTY**.	Vetoed by Governor
AB 2404 (WH)	Papan/Rule of Law Committee	As introduced	Assembly Bill 2404 (Papan) – Appellate opinions Requires that all final opinions of the Supreme Court, Courts of Appeal and appellate divisions of the superior courts be made available for publication, in full, by private publishers. Privately published opinions under the bill would constitute precedent under the doctrine of stare decisis the same as officially published opinions.	Oppose	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 2406 (JC)	Migden/Author	As introduced	Assembly Bill 2406 (Migden) – Jurors: attorney examination Provides that after completion of an initial examination by the court of prospective jurors in criminal cases, each party shall have the right to examine any or all prospective jurors. Provides that the court may, in the exercise of its discretion, limit the oral and direct questioning by counsel, and may specify the maximum amount of time that each party may question an individual juror, or may specify an aggregate amount of time for each party, which can then be allocated among the prospective jurors by counsel limit. Requires the Judicial Council to develop guidelines establishing presumptive limits on time allotted for attorney voir dire.	Support if amended to delete the provision that requires Judicial Council to establish guidelines for presumptive limits on time allotted for attorney voir dire. **UPDATED 6/28/00: AMENDMENTS ON 6/20/00 CARRY OUT JUDICIAL COUNCIL RECOMMENDATION AND CHANGE THE COUNCIL'S POSITION TO SUPPORT.**	Chaptered, Ch. 192, Stats. of 2000
AB 2418 (JC)	Migden/Author	As introduced	Assembly Bill 2418 (Migden) – Jurors: eligibility Adds sexual orientation to the list of bases for which no eligible juror shall be excused from jury service. Prohibits parties from using a peremptory challenge to remove a prospective juror on the basis of an assumption that the juror is biased because he or she is a member of a group distinguished by sexual orientation.	Support	Chaptered, Ch. 43, Stats. of 2000

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 2459 (RL)	Wiggins/Service Employees International Union (SEIU)	As amended June 19, 2000	Assembly Bill 2459 (Wiggins) - Courts: budget allocations and expenditures Requires that the Judicial Council adopt rules to provide for reasonable public access to budget allocation and expenditure information at the state and local level. Also requires that the Judicial Council adopt rules that trial courts provide upon written request, in a timely manner, information relating to the administration of the courts, including financial information and other information that affects the wages, hours, and working conditions of trial court employees.	No position	Chaptered, Ch. 969, Stats. of 2000

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 2464 (LM)	Kuehl/CA Family Law Task Force	As amended May 27, 2000	Assembly Bill 2464 (Kuehl) – Juvenile and family courts: custody orders Specifies that an exit order issued by a juvenile court relating to custody or visitation of a dependent child remains in effect after termination of jurisdiction by the juvenile curt. Provides that the family court may not modify the exit order concerning custody and visitation unless the curt finds substantial evidence, based on the court's consideration of facts that were not previously presented to the juvenile court, that modification of the order is in the best interest of the child. Requires the Judicial Council to adopt rules of court to implement a process whereby family courts will have access to the findings of the juvenile court to accomplish the goals of this provision.	Support if amended to (1) make clear that the bill is not intended to limit the ability of the juvenile court to make new orders in subsequent dependency proceedings involving the same child or children, (2) Delete the reference to substantial evidence, and (3) specify that only the facts that were found by the juvenile court to sustain the petition should not be relitigated. **UPDATED 8/22/00: AMENDMENTS ON 8/7/00 SPECIFY THAT EXIT ORDERS IN JUVENILE DEPENDENCY CASES ARE FINAL JUDGMENTS AND CAN BE MODIFIED BY A FAMILY LAW COURT ONLY IF THERE IS A SIGNIFICANT CHANGE IN CIRCUM-STANCES AND THE MODIFICATION IS IN THE BEST INTEREST OF THE CHILD. THESE AMENDMENTS CHANGE THE COUNCIL'S POSITION TO SUPPORT.**	Chaptered, Ch. 921, Stats. of 2000
AB 2502 (JC)	Romero/Chief Probation Officers Assn of CA; Los Angeles County Probation	As introduced	Assembly Bill 2502 (Romero) – Sex offenders: duty to register Requires the court, rather than probation, to notify the defendant of sex offender registration duties in cases of unsupervised release.	Support	Chaptered, Ch. 240, Stats. of 2000

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 2512 (JC)	Washington/ National Association of Bail Insurance Companies	As introduced	Assembly Bill 2512 (Washington) - Bail Requires that in bail proceedings – after demanding forfeiture – the demanding agency must also file a petition with a five-day notice period. The court then must hold a hearing to determine whether summary judgment has been satisfied prior to disqualifying the surety from posting other bonds.	Oppose	Died
AB 2525 (LM)	House/Bureau of Missing Heirs, Inc.	As amended May 8, 2000	Assembly Bill 2525 (House) – Escheat: liability Authorizes the county treasurer to release unclaimed money of an amount less than $60,000 from the estate of a decedent with no beneficiaries to the parent of a minor who is either a blood relative of the decedent or the decedent's predeceased spouse. The parent may collect this money without establishing a legal guardianship for the minor.	No position	Chaptered, Ch. 333, Stats. of 2000
AB 2555 (KH/LM/ WH)	House/Unknown	As introduced	Assembly Bill 2555 (House) – Jury trials: juvenile dependency Requires all issues of fact to be tried by a jury, at the request of either parent, in specified proceedings involving the termination of parental rights with respect to a minor child.	Oppose	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 2567 (JC)	Jackson/ Attorney General	As introduced	Assembly Bill 2567 (Jackson) – Criminal actions: access to jurors Requires that prior to discussing jury deliberations with a member of a jury in a criminal action, the attorney or attorney's representative must inform the juror of his or her identity, the party he or she represents, and the subject of the interview.	Support if amended to exclude contact with jurors in the courthouse immediately following reading the verdict. **UPDATED 6/7/00: AMENDMENTS ON 5/16/00 CARRY OUT JUDICIAL COUNCIL RECOMMEND-ATION AND CHANGE COUNCIL'S POSITION TO SUPPORT.**	Chaptered, Ch. 242, Stats. of 2000

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 2589 (KH)	Cardenas/CA Alliance Against Domestic Violence	As amended April 5, 2000	Assembly Bill 2589 (Cardenas) – Domestic violence: interpreters Requires the appointment of a certified court interpreter in any domestic violence-related court proceeding, including mediation. Includes both interpreters for the deaf and spoken language interpreters. Requires the interpreter services to be paid by the state. Requires court interpreters to receive ongoing training in domestic violence issues. Also requires the appointment of a certified court interpreter for any consultation with child protective services, law enforcement, housing advocate, legal advocate, or therapist.	Oppose unless amended to: 1) allow the court to proceed if an interpreter is not available; 2) limit the requirements for a court interpreter to proceedings in the courthouse; 3) delete the provisions regarding the use of the same interpreter for both parties; 4) incorporate the training requirements into the existing structure for court interpreter training; 5) maintain the statutory distinctions between provisions relating to interpreters for the deaf and spoken language interpreters, and 6) provide adequate funding for the additional interpreter services. Support if amended and funded. **UPDATED 6/7/00:** **AMENDED TO REQUIRE PARTIES TO PAY FOR INTERPRETER SERVICES, UNLESS THEY ARE QUALIFIED FOR A FEE WAIVER. THE BILL STILL INCLUDES TRAINING REQIUREMENTS. ISSUES 1), 2) AND 3) ABOVE ARE ADDRESSED IN THE AMENDMENTS.** **UPDATED 6/28/00:** **AMENDMENTS ON 6/26/00 REQUIRE INTERPRETERS SERVICES TO BE PAID AT STATE EXPENSE IN ALL DOMESTIC VIOLENCE PROCEEDINGS, REGARDLESS OF THE PARTIES' ABILITY TO PAY.**	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 2595 (JC)	Cardenas/CA Bail Agents Assn.; Capital City Bail Agents Assn.	As introduced	Assembly Bill 2595 (Cardenas) – Bail: exoneration: foreign or domestic jurisdiction Requires the court to vacate the forfeiture of bail, money or property deposited as bail and exonerate the bond in all cases where the defendant fails to appear if he or she is beyond the jurisdiction of this state.	No position	Vetoed by Governor
AB 2744 (JC)	Oller/Author	As introduced	Assembly Bill 2744 (Oller) – Minors: driving under the influence: Informal Juvenile and Traffic Court Excludes from the jurisdiction of the Informal Juvenile and Traffic Court provisions of the Vehicle Code that prohibit driving a vehicle while under the influence of alcohol and drugs, driving with an excessive blood-alcohol level, or driving when addicted to any drug.	Support	Chaptered, Ch. 228, Stats. of 2000
AB 2804 (LM)	Papan/Judge Quentin Kopp	As amended May 4, 2000	Assembly Bill 2804 (Papan) – Evidence: admissibility Provides that the portion of a statement or benevolent gesture expressing sympathy or a general sense of benevolence relating to the pain, suffering, or death of a person involved in an accident and made to that person or that person's family would be inadmissible as evidence of an admission of liability in a civil action. Clarifies that a statement of fault which is part of, or in addition to, any of the above is not made inadmissible by this bill. Defines "accident," "benevolent gesture," and "family."	Support	Chaptered, Ch. 195, Stats. of 2000

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
AB 2819 (TW)	Cardoza/ California Health Care Assn.	As introduced	Assembly Bill 2819 (Cardoza) – Jury service: excuses; physicians, surgeons Provides that, if the governor has declared a state of emergency because of an epidemic caused by any contagious disease, every physician, surgeon and registered nurse who is employed by a health care facility would be automatically excused from jury service on the basis of undue hardship.	Oppose	Died
AB 2884 (KH)	Kuehl/Judicial Council		Assembly Bill 2884 (Kuehl) - Judges salaries (Judicial Council-sponsored) (See Appendix A, Page 45)		
AB 2911 (KH)	Assembly Judiciary Committee/ Judicial Council		Assembly Bill 2911 (Assembly Judiciary Comm.) – Supplemental contribution program (Judicial Council-sponsored) (See Appendix A, Page 45.)		
AB 2912 (LM)	Assembly Judiciary Committee/ Judicial Council		Assembly Bill 2912 (Assembly Judiciary Comm.) – Alternative dispute resolution (Judicial Council-sponsored) (See Appendix A, Page 45.)		
AB 2915 (KH)	Assembly Judiciary Committee	As amended May 24, 2000	Assembly Bill 2915 (Assembly Judiciary Committee) – Child custody: child's counsel Requires the family court to consider appointing independent counsel to represent a child or children in any contested custody or visitation proceeding. Requires the court to "indicate in writing or on the record that the court considered the appointment of minor's counsel, whether the court found it to be in the best interest of the child to appoint that counsel, and whether counsel was appointed." Also modifies the role of the child's counsel regarding how to communicate the child's wishes to the court.	No position, but amend to limit the requirement to "proceedings involving substantial issues of custody or visitation."	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
ACA 9 (JC)	Olberg/Author	As introduced	Assembly Constitutional Amendment 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	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 449 (AW)	Burton/ California Court Reporters Association	As introduced	Senate Bill 449 (Burton) – Transcription fees Phase-in over a 2-year period, increase to 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. **UPDATED 8/25/00: AMENDMENTS INCLUDE A $1 MILLION APPROPRIATION TO THE JUDICIAL COUNCIL FOR THE TRIAL COURTS.**	Vetoed by Governor
SB 801 (TW)	Poochigian/ Author	As introduced	Senate Bill 801 (Poochigian) - Jury service exemption: judges Exempts an active judge of a court of record from jury service.	Oppose	Died
SB 815 (JP)	Chesbro/Del Norte County	As amended June 22, 2000	Senate Bill 815 (Chesbro) – Del Norte County; trial court funding Corrects an erroneous overcharge of $429,645 to the County of Del Norte for their trial court Maintenance of Effort (MOE). SB 815 rectifies this error and ensures that Del Norte does not owe any additional monies.	Oppose unless amended to ensure there is no decrease in the level of funding in the Trial Court Trust Fund. **UPDATED 8/25/00: AMENDMENTS ON 8/25/00 AND 8/29/00 CORRECT AN UNDERCHARGE TO THE MOE AMOUNT FOR CONTRA COSTA COUNTY THEREBY RESULTING IN A ZERO IMPACT TO THE TRIAL COURT TRUST FUND.**	Chaptered, Ch. 671, Stats. of 2000

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 824 (LM)	Sher/Author	As introduced	Senate Bill 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.	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 878 (JC)	Hayden/Author	As introduced	Senate Bill 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	Died
SB 1139 (LM)	Morrow/Author	As introduced	Senate Bill 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.	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 1173 (LM)	Vasconcellos/ Author	As introduced	Senate Bill 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 mandate that the Judicial Council monitor and report on implementation. **UPDATED 6/28/00: AMENDMENTS REDUCE JUDICIAL COUNCIL DUTIES TO REPORT TO LEGISLATURE ONCE ON 1/1/04. ALSO AMNEDED TO DEFINE DEFACTO PARENTS AS REGISTERED DOMESTIC PARTNERS.** **UPDATED 8/22/00: COUNCIL'S POSITION CHANGED TO NEUTRAL.**	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 1254 (LM)	Schiff/Author	As introduced	Senate Bill 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.	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." **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.**	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 1293 (LM)	Schiff/Author	As introduced	Senate Bill 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.	Oppose **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.**	Chaptered, Ch. 831, Stats. of 2000
SB 1340 (LM)	Solis/Alpert/San Gabriel Valley National Org. for Women and CA National Org. for Women	As introduced	Senate Bill 1340 (Solis) – Domestic violence courts Establishes a domestic violence task force responsible for drafting model guidelines for the operation of domestic violence courts. States the Legislature's intent to fund these domestic violence courts in the amount of $10 million.	Support if amended to permit the Chief Justice to make all appointments to the task force; delete the requirement that one-half of the task force members be domestic violence advocates, domestic violence attorneys, or battered women service providers; clarify that the task force makes recommendations to the Judicial Council; and refine the charge to the task force.	Vetoed by Governor
SB 1342 (JC)	Burton/Author	As amended April 25, 2000	Senate Bill 1342 (Burton) – Post conviction DNA testing Creates a procedure for the post-conviction testing of DNA evidence for defendants who did not have that technology available at the time of trial and where identity was a significant issue that resulted in his or her conviction.	Support but seek technical amendments regarding burden on defendant to clarify elements of prima facia showing.	Chaptered, Ch. 821, Stats. of 2000

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 1370 (LM)	Ortiz/CA Law Revision Comm.	As introduced	Senate Bill 1370 (Ortiz) – Civil action: settlement negotiations Makes evidence of negotiations to settle a pending civil action or administrative adjudication inadmissible in that action or adjudication with specified exceptions. Also makes a settlement negotiation confidential when the persons participating in the negotiations execute a written agreement stating that the negotiations are confidential. Protects the negotiations from discovery.	Oppose	Died
SB 1391 (KH/LM)	Schiff/County of LA, Children's Advocacy Institute (CAI) & CA Newspaper Publishers Assn.	As amended March 20, 2000	Senate Bill 1391 (Schiff) – Juvenile court hearings Provides that hearings involving a child who has been or may be declared a dependent of the juvenile court be open to the public, unless the court finds on the record that admitting the public would seriously harm the child's best interest.	Support **UPDATED 8/22/00: AMENDMENTS ON 6/29/00 PERMIT A PRESIDING JUDGE OF A JUVENILE COURT IN ANY COUNTY TO ADMIT THE PUBLIC TO JUVENILE DEPENDENCY HEARINGS. HEARINGS MAY BE CLOSED UNDER SPECIFIED CIRCUMSTANCES. BILL SUNSETS 1/1/06 OR UPON LOSS OF FEDERAL FUNDING FOR FOSTER CARE. JUDICIAL COUNCIL REPORTS DUE 1/1/05.**	Died
SB 1482 (JC)	Rainey/Private citizen	As amended March 13, 2000	Senate Bill 1482 (Rainey) – Restitution: payment to third parties Provides that restitution may be ordered to an insurance company or another source that has fully or partially compensated a crime victim for loss from criminal activity.	Support	Died
SB 1533 (RL)	Costa/Judicial Council		Senate Bill 1533 (Costa) – Trial court funding (Judicial Council-sponsored) (See Appendix A, Page 45.)		

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 1611 (KH/LM)	Bowen/Author	As introduced	Senate Bill 1611 (Bowen) – Juvenile justice commissions and juvenile court actions Provides that a juvenile justice commission conducting an inspection of a group home may review confidential records, provided it keeps the identities of the minor named in those records confidential. Authorizes a juvenile justice commission to inspect juvenile court case files. Provides that a juvenile court may join a private service provider in the juvenile proceedings where the court has determined that the service provider has failed to meet its legal obligation to provide services to the child, after giving notice and an opportunity to be heard.	Support	Chaptered, Ch. 908, Stats. of 2000

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 1641 (LM)	Bowen/Author	As amended April 11, 2000	Senate Bill 1641 (Bowen) – Guardian and conservators Requires a guardian or conservator of the estate who is a family member or relative to make an annual accounting to the court of the assets of the ward or conservatee. Requires the probate court to appoint legal counsel for the ward or conservatee if the estate is valued at more than $20,000 and the guardian or conservator fails to file the required accounting within 30 days of its due date. Prohibits the court from reducing the bond requirement for guardians and conservators who are family members or relatives.	Oppose unless amended to conform Judicial Council duties regarding publishing cost-of-living adjustments to threshold amount for appointment of counsel to other similar duties in other statutes and funded. Support if amended and funded. **UPDATED 6/28/00: AMENDMENTS ON 6/27/00 CONFORM JUDICIAL COUNCIL DUTIES TO OTHER STATUTES. CHANGES COUNCIL'S POSITION TO OPPOSE UNLESS FUNDED.** **UPDATED 9/22/00: AMENDMENTS ON 8/25/00 DELETE THE REQUIREMENT THAT GUARDIANS OR CONSERVATORS WHO ARE FAMILY MEMBERS FILE AN ACCOUNTING ANNUALLY INSTEAD OF BIANNUALLY. MINIMAL COSTS FOR REMAINING PORTION OF BILL. CHANGES COUNCIL POSITION TO SUPPORT.**	Vetoed by Governor

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 1716 (LM)	Ortiz/Legislative Coalition to Prevent Child Abuse	As amended June 7, 2000	Senate Bill 1716 (Ortiz) – Child custody proceedings; allegations of sexual abuse Authorizes the family court to request the local child protective services agency to conduct an investigation and report back to the court when there are specified allegations of child sexual abuse. Requires the Judicial Council to develop standards for training in child sexual abuse issues and requires specified Family Court Services employees and child custody evaluators to complete the training. Establishes minimum standards for a child custody evaluation when the family court, in its discretion, appoints a child custody evaluator and there are allegations of child sexual abuse. Provides that if the family court orders an investigation into allegations of child sexual abuse, the court shall consider whether the best interest of the child requires that a temporary order be issued that limits visitation with the parent against whom the allegations have been made.	Support if amended to clarify that the evaluators have access to juvenile court records and that evaluators have the authority to request the juvenile court to commence proceedings pursuant to W & I Code Sections 329 and 331. **UPDATED 8/22/00: AMENDMENTS ON 8/11/00 INCORPORATE THE ABOVE REQUESTED AMENDMENTS AND CHANGE THE COUNCIL'S POSITION TO SUPPORT.**	Chaptered, Ch. 926, Stats. of 2000

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 1769 (LM)	Chesbro/Author	As amended April 13, 2000	Senate Bill 1769 (Chesbro) – Mental health courts Requires that in awarding grants relating to programs for mentally ill inmates, the Board of Corrections give preference to crime reduction grant proposals that establish or implement mental health courts. Defines mental health courts as court programs that involve increased cooperation between the criminal justice and mental health systems and improve access for mentally ill offenders to necessary services and support. Mental health courts would provide a single point of contact where a defendant with a mental disability may receive court-ordered treatment and support services in connection with diversion from prosecution, a sentencing alternative, or a term of probation.	Support in concept **UPDATED 8/3/00:** **AMENDMENTS ON 6/7/00 REQUIRE THE BOARD OF CORRECTIONS TO ENCOURAGE COUNTIES TO SUBMIT CRIME REDUCTION GRANT PROPOSALS TO ESTABLISH MENTAL HEALTH COURTS. SUCH PROPOSALS ARE NO LONGER GIVEN PREFERENCE.** **UPDATED 8/22/00:** **AMENDMENTS ON 8/14/00 NO LONGER REQUIRE THE BOARD OF CORRECTIONS TO ENCOURAGE COUNTIES TO ESTABLISH MENTAL HEALTH COURTS.**	Vetoed by Governor
SB 1791 (LM)	Rainey/Assn. For Children for Enforcement of Support	As introduced	Senate Bill 1791 (Rainey) – Child support: administrative orders; state support registry Authorizes the State Department of Social Services to carry out specified powers and duties relating to child support. Authorizes the Director of Social Services to hold adjudicative proceedings, which would be an alternative to court-ordered child support and grants the department authority to take enforcement action for collection of support obligations.	Oppose	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 1803 (JC)	Karnette/ California District Attorneys Assn.; Contra Costa County Superior Court Judge	As amended May 1, 2000	Senate Bill 1803 (Karnette) – Drug courts: search and seizure Provides that, as an agreed-upon condition of participating in a deferred entry of judgment or pre-guilty plea drug court program, a defendant may be required to submit to a search with or without probable cause. Stipulates that participation in the drug court program may prohibit the use of drugs or alcohol. Also provides that if evidence is discovered in a search conducted pursuant to this provision that supports a charge of simple possession of a controlled substance, and not any other felony, the evidence cannot be the basis of a new charge.	Support	Died
SB 1807 (JC)	Vasconcellos/ Author	As amended April 5, 2000	Senate Bill 1807 (Vasconcellos) – Drug courts: methadone treatment Authorizes any person who is participating in a deferred entry of judgment program or a pre-guilty plea drug court program to also participate in a licensed methadone or levoalphacetylmethadol (LAAM) program.	Oppose	Chaptered, Ch. 815, Stats. of 2000
SB 1857 (RL)	Burton/Judicial Council		Senate Bill 1857 (Burton) - New Judgeships (Judicial Council-sponsored) (See Appendix A, Page 45)		
SB 1864 (TW)	Mountjoy/Author	As introduced	Senate Bill 1864 (Mountjoy) – Jury service: excuses; self-employed persons Automatically excuses self-employed persons from jury service on the basis of undue hardship. Currently, only certain peace and correctional officers are exempt from civil and criminal jury service.	Oppose	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 1869 (LM)	Solis/CA District Attorney's Association	As amended May 24, 2000	Senate Bill 1869 (Solis) – Powers of attorney Prohibits an attorney-in-fact from receiving gifts of the principal's property or from receiving the principal's property as payment for reasonable fees for services rendered unless a properly acknowledged separate document is executed by the principal expressly granting this authority. Requires that the statutory form power of attorney include a notice to the principal to this effect. Requires that the printed form of the power of attorney also include a warning to the principal that if he or she grants the attorney-in-fact the authority to accept or receive gifts from the principal's property, these gifts may be transferred to the attorney-in-fact and are not required to be returned. Requires that the statutory form power of attorney include a notice to the person accepting appointment as attorney-in-fact that he or she is assuming fiduciary and other legal responsibilities of an agent.	Oppose **UPDATED 8/22/00: AMENDMENTS ON 8/22/00 REMOVE ALL PROVISIONS EXCEPT A REQUIREMENT THAT POWER OF ATTORNEY FORMS OTHER THAN THE UNIFORM DURABLE POWER OF ATTORNEY FORMS CONTAIN SPECIFIED WARNINGS TO THE PERSON EXECUTING THE POWER OF ATTORNEY AND THE AGENT. A POWER OF ATTORNEY DRAFTED BY AN ATTORNEY IS ALSO EXCLUDED FROM THE REQUIREMENT.**	Chaptered, Ch. 999, Stats. of 2000
SB 1881 (LM)	O'Connell/ Professional Fiduciary Assn. Of CA	As amended May 1, 2000	Senate Bill 1881 (O'Connell) – Professional fiduciaries Requires the Department of Consumer Affairs (DCA), in conjunction with specified persons, including one employee of the Judicial Council, to conduct a study of the potential licensing and regulation of persons acting in the capacity of professional fiduciaries. Requires the DCA to submit a report in this regard to the Legislature and the Governor before December 1, 2001. Appropriates an unspecified sum to the DCA for the purpose of conducting the study and preparing the report.	Support in concept	Vetoed by Governor

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 1944 (LM)	Solis/LA City Attorney; CA Alliance Against Domestic Violence	As amended June 27, 2000	Senate Bill 1944 (Solis) – Domestic violence; expert testimony; criminal action Provides that no filing fee shall be charged for a petition, response, or an order to show cause for any domestic Violence protective order or an order to show cause for custody, visitation, or support modifications necessary for the issuance or enforcement of a protective order. Provides that when a court issues a protective order that expires in less than three years, it shall state on the record its reason for issuing the order for the specified duration. Allows the admission of testimony on battered women's syndrome in a proceeding involving the first incident of abuse. Creates an additional exception to the hearsay rule by allowing into evidence a statement made to a physician, nurse, or paramedic concerning a threat of physical injury if the witness is unavailable and other specified conditions are met. Requires a peace officer to make a reasonable effort to identify the "dominant" aggressor, instead of the "primary" aggressor regarding the arrest of domestic violence offenders.	Oppose unless funded or amended to delete the filing fee provisions or substantially narrow the provisions to address the specific problem cited by the sponsors. **UPDATED 8/22/00: AMENDMENTS ON 8/11/00 ADDRESS THE COUNCIL'S CONCERN AND CHANGE THE COUNCIL'S POSITION TO NEUTRAL.**	Chaptered, Ch. 1001, Stats. of 2000
SB 1947 (LM)	Vasconcellos/ Author	As introduced	Senate Bill 1947 (Vasconcellos) – Common interest developments: arbitration Requires all at-issue civil actions in superior or municipal court, including small claims actions, that involve the construction of a common interest development to be submitted to judicial arbitration regardless of the amount in controversy.	Oppose	Died

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 2043 (LM)	Schiff/County of LA	As amended June 26, 2000	Senate Bill 2043 (Schiff) – Termination of parental right's; notice Revises the procedures for providing notice to the parent or guardian of a child and any other person entitled to receive notice regarding hearings where a plan of adoption, guardianship, or long-term foster care is considered, including hearings to terminate parental rights in juvenile dependency cases. Requires the parent or guardian to provide the court a permanent mailing address by filing with the court a completed Judicial Council form. Requires the court to advise each parent or guardian that the designated mailing address will be used by the court and the social services agency for notice purposes unless a completed council form is received notifying the court or social services agency of a change of address.	Support, but seek technical amendments.	Vetoed by Governor
SB 2092 (LM/WH)	Schiff/Author	As amended April 25, 2000	Senate Bill 2092 (Schiff) – Conservatorship: minors Revises laws governing mental health conservatorship proceedings of dependent children to ensure the child's attorney, the county welfare department and other relevant entities are notified of conservatorship proceedings. Provides that whenever a minor is the subject of a petition for conservatorship and a dependent child or ward of the court, the regional center, county mental health department, county welfare department or county probation department, and the child's school shall, pursuant to a written protocol, recommend to the court whether a conservatorship is necessary.	Support in concept	Vetoed by Governor

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 2124 (KH/WH)	Figueroa/Family Law Task Force	As introduced	Senate Bill 2124 (Figueroa) – Child custody: mediation Prohibits a mediator from making a recommendation to the court regarding child custody when the parties in mediation do not reach agreement.	No position, but seek amendments to address the need to plan for, fund, and acquire staff to modify existing court procedures and to add new functions in courts that now rely on mediator recommendations in contested child custody matters. **UPDATED 6/7/00:** **THE AUTHOR HAS DROPPED SB 2124.**	Died
SB 2140 (RL)	Burton/Judicial Council		Senate Bill 2140 (Burton) – Court employees (Judicial Council-Sponsored) (See Appendix A, Page 46.)		
SB 2153 (LM)	Schiff/Author	As amended April 3, 2000	Senate Bill 2153 (Schiff) – Referees: discovery matters Provides that a motion to disqualify a discovery referee pursuant to Code of Civil Procedure 170.6 shall be filed within ten days after notice of the appointment or if the party has not yet appeared in the action, within ten days after the appearance.	Support but seek amendment that would move the time limit to file CCP 170.6 challenges against a discovery referee from CCP 639 to CCP 170.6.	Chaptered, Ch. 1011, Stats. of 2000
SB 2160 (LM)	Schiff/Judicial Council		Senate Bill 2160 (Schiff) – Representation of dependent children (Judicial Council-Sponsored) (See Appendix A, Page 46.)		

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Bill No.	Author/Sponsor	Version	Description	Initial position	Status As of 10/4/00
SB 2161 (WH)	Schiff/Co. Welfare Directors Assn.; SEIU	As proposed to be introduced	Senate Bill 2161 (Schiff) – Juvenile dependency: background checks: placement of children Restores the ability of county welfare services agencies to access CLETS for criminal background checks on relatives being considered by the juvenile dependency courts for emergency placement of children removed from home because of allegations of child abuse or neglect.	Support	Chaptered, Ch. 421, Stats. of 2000

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