Judicial Council of California
Administrative Office of the Courts
Office of Governmental Affairs
770 L Street, Suite 700 • Sacramento, California 95814 • Phone (916) 323-3121 Fax (916) 323-4347

MEMORANDUM

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

FROM: Kathleen Howard, Director
Office of Governmental Affairs

DATE: October 28, 2005

RE: Status of 2005 legislation considered by the Policy Coordination and Liaison Committee—Final

Following is the status report on 2005 legislation considered by the Judicial Council's Policy Coordination and Liaison Committee (PCLC) during the 2005-2006 legislative session. The bills are listed in numerical order by house (Assembly and Senate) and are indexed by subject matter. The second column, "description and updates," describes the bill on which the PCLC position was based and subsequent updates and amendments. The "Judicial Council position" column tracks the council's initial position and any subsequent change to that position.

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

The Office of Governmental Affairs staff member assigned to the bill is designated below the bill number as follows: Kathleen Howard (KH); June Clark (JC); Tracy Kenny (TK); Eraina Ortega (EO); Dan Pone (DP); Martin Riley (MR); Ray Sardo (RS)

JUDICIAL COUNCIL OF CALIFORNIA
Status of 2005 Legislation Considered by the
Policy Coordination and Liaison Committee

Judicial Council-sponsored Legislation (See Appendix)

AB 519 (Leno) – Parental rights ..... A
AB 1322 (Evans) – Judges: disqualification ..... A
AB 1742 (Assembly Judiciary Committee) – Courts: civil procedure ..... A
SB 56 (Dunn) – Trial courts: judgeships ..... A
SB 395 (Escutia) – California Court Facilities Bond Act of 2006 ..... B
SB 528 (Ackerman and Dunn) – Judges' retirement systems ..... B

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

Legislation Index by Subject

Civil and Small Claims
AB 202 (Harman) – Arbitration agreements 2
AB 355 (Tran) – Joint or several obligations 2
AB 496 (Aghazarian) – Service of process 2
AB 1158 (Lieber) – Civil procedure: Anti-SLAPP Statute 4
AB 1453 (Daucher) – Venue: production of groundwater: water courts 5
AB 1459 (Canciamilla) – Small claims court: jurisdiction 6
AB 1742 (Assembly Judiciary Committee) – Courts: civil procedure 7
SB 422 (Simitian) – Small claims court: jurisdiction 10
SB 575 (Torlakson) – Housing development projects: Anti-NIMBY Law 11

Court Facilities, Employees, and Technology
AB 176 (Bermudez) – Trial courts: limited-term employees 1
AB 262 (Berg) – Courts: transfer of county facilities 2
AB 1435 (Evans) – Courthouse Construction Fund 4
SB 395 (Escutia) – California Court Facilities Bond Act of 2006 9

Court Operations
AB 664 (Jones) – Unlawful detainer: notice provisions 3

Criminal Law and Procedure
AB 1551 (Runner) – Sexual predators: dismissal of actions 7
SB 171 (Alquist) – Interrogation: recording: jury instruction 9
SB 330 (Cedillo) – Criminal proceedings: mental competency 9

Employee Employer Issues
SB 733 (Aanestad) – Public Employees' retirement: Butte County 12

Family Law
AB 104 (Cohn) – Protective orders: dismissal 1
AB 106 (Cohn) – Spousal battery: fines: amnesty 1
AB 519 (Leno) – Parental rights 2
AB 1307 (Dymally) – Child custody: equal joint custody 4
SB 359 (Ortiz) – Child custody 9
SB 544 (Battin) – Sex offenders: custody and visitation 11
SB 726 (Florez) – Dependent children 12

Fees, Fines, and Penalties
SB 93 (Florez) – Local government finance: Tulare County 9

Judicial Officers
AB 1035 (Spitzer) – Public officials: home information 3
AB 1322 (Evans) – Judges: disqualification 4
AB 1595 (Evans) – Public officials: personal information 7
SB 56 (Dunn) – Trial courts: judgeships 8
SB 506 (Poochigian) – Voter records: confidentiality 11
SB 528 (Ackerman and Dunn) – Judges' retirement systems 11

Juries
SB 874 (Romero) – Public contracts: contracts: jury service 12

Miscellaneous
AB 1739 (Assembly Judiciary Committee) – California Commission on Access to Justice 7
ACR 30 (McCarthy) – Civic mission of schools 8

Probate
AB 541 (Harman) – Guardians 3

Redistricting
SCA 16 (Runner) – Judicial districts: superior court judges 13

Traffic

AB 759 (Lieber) – Misdeameanors: new penalty assessment 3
SB 57 (Alarcon) – Bail schedule: new penalty assessments 8

Trial Court Funding and Operations

AB 27 (Mullin) – Homicide Trial Costs 1
AB 750 (Mullin) – Trial court funding: San Mateo County 3

JUDICIAL COUNCIL OF CALIFORNIA
Status of 2005 Legislation Considered by the
Policy Coordination and Liaison Committee

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of October 28, 2005
AB 27 (EO)	AB 27 (Mullin) – Homicide Trial Costs As amended June 22, 2005 Restructures existing law in change of venue cases to clarify responsibilities for the reimbursement of costs by the originating court or county to the receiving court or county. Requires the Judicial Council to adopt financial policies and procedures to ensure timely reimbursement of court costs in change of venue cases. Requires counties to approve a budget and timeline for reimbursement of county costs prior to the beginning of a trial.	Support	County of San Mateo	Signed into law (Stats. 2005, ch. 282)
AB 104 (TK)	AB 104 (Cohn) – Protective orders: dismissal As amended March 1, 2005 Provides courts with greater flexibility to assign to a judge other than the issuing judge. ***UPDATE: As amended June 16, 2005*** ***Does not address protective orders.***	Oppose Update: ***As amended June 16, 2005*** ***No position***	Author	Senate Public Safety Committee. 2-year bill
AB 106 (TK)	AB 106 (Cohn) – Spousal battery: fines: amnesty As introduced Requires every trial court to establish a one-time amnesty program for criminal fines, and other fees imposed pursuant to a conviction for spousal abuse or as a condition of probation for a domestic violence offense. Amnesty programs would be subject to guidelines to be developed by the Judicial Council, and would need to be in place for at least 120 days and no longer than six months. Defendants would be required to pay 70 percent of the total obligation.	Oppose	Author	Assembly Appropriations Committee. 2-year bill
AB 176 (EO)	AB 176 (Bermudez) – Trial courts: limited-term employees As introduced Prohibits a trial court from employing a limited-term employee for more than 180 days. Provides that any limited-term employee employed for more than 180 calendar days becomes a regular employee.	Oppose	American Federation of State, County, and Municipal Employees (AFSCME)	Vetoed

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of October 28, 2005
AB 202 (DP)	AB 202 (Harman) – Arbitration agreements As introduced Provides that filing a petition to compel arbitration pursuant to Code of Civil Procedure section 1281.2 is the exclusive means by which a party to an arbitration agreement may seek to compel arbitration of a controversy alleged to be subject to that arbitration agreement.	Support	State Bar of California	Vetoed
AB 262 (EO)	AB 262 (Berg) – Courts: transfer of county facilities As introduced Prohibits the Judicial Council from requiring that a structure proposed for transfer from a county to the state for court occupancy meet a building code standard stricter than the standard adopted for county buildings in the county proposing the transfer.	Oppose	Numerous individual counties	Assembly Appropriations Committee. 2-year bill
AB 355 (DP)	AB 355 (Tran) – Joint or several obligations As introduced Authorizes the court in any action involving joint and several liability to "instruct the jury on the effect of finding any party, including, but not limited to, the State of California, partially liable."	Oppose	Author	Assembly Judiciary Committee. 2-year bill
AB 496 (DP)	AB 496 (Aghazarian) – Service of process As introduced This bill makes a number of changes to the law governing service of process. Among other things, the bill would require the clerk to maintain the original summons in the court file. ***UPDATE: As amended April 26, 2005*** ***Judicial Council proposed amendments regarding retention of original summons in court file accepted.***	Original position: Support if amended Update: ***As amended April 26, 2005*** ***Support***	California Association of Photocopiers and Process Servers	Signed into law (Stats. 2005, ch. 300)
AB 519 (TK)	AB 519 (Leno) – Parental rights As introduced Authorizes a dependent child freed for adoption to petition the court for reinstatement of parental rights where the child has not been adopted within three years from the date that his or her parents' rights were terminated, or upon stipulation by all parties that the child is no longer adoptable. If it appears that reinstatement may promote the best interests of the child, the court shall set the matter for hearing and cause notice to be provided. The court shall grant the petition if it finds by a preponderance of the evidence that the child is no longer adoptable, and that reinstatement of parental rights is in the child's best interest. ***UPDATE: As amended March 30, 2005*** ***Includes Judicial Council sponsored legislation to broaden the authority of the juvenile court to issue protective order.***	Original position: Support with technical amendments Update: ***As amended March 30, 2005*** ***Co-Sponsor***	Children's Law Center and Judicial Council	Signed into law (Stats. 2005, ch. 634)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of October 28, 2005
AB 541 (DP)	AB 541 (Harman) – Guardians As introduced Would make two changes in the law governing guardians. First, would allow the court to test prospective guardians for drugs or alcohol, if appropriate, following the identical procedures established by the Legislature last year for parents seeking custody and visitation. Second, would exempt guardians of the person only from having to register with the Statewide Registry.	Support	California Judges Association	Signed into law (Stats. 2005, ch. 302)
AB 664 (TK)	AB 664 (Jones) – Unlawful detainer: notice provisions As amended April 28, 2005 Requires the court to send notices to defendants in unlawful detainer proceedings that must contain the name of an office funded by the federal Legal Services Corporation (LSC) that provides services to low-income persons in the county where the action is filed. AB 664 would expand that provision to allow the notice to also contain information regarding qualified legal services projects that are not funded by the federal LSC.	Support	Author	Signed into law (Stats. 2005, ch. 610)
AB 750 (EO)	AB 750 (Mullin) – Trial court funding: San Mateo County As introduced Authorizes San Mateo County to reduce the amount it is required to remit to the state for funding court operations by 10 percent for 3 years beginning on July 1, 2005.	Oppose	San Mateo County	Assembly Judiciary Committee. 2-year bill
AB 759 (RS)	AB 759 (Lieber) – Misdemeanors: new penalty assessment As amended April 4, 2005 Authorizes a board of supervisors in a county that has established a local Crime Stoppers Program to levy a new penalty assessment of up to $2 upon every fine, penalty, or forfeiture imposed and collected by the courts for misdemeanor criminal offenses.	Oppose unless amended or funded	Silicon Valley Crime Stoppers	Assembly Public Safety Committee. 2-year bill
AB 1035 (JC)	AB 1035 (Spitzer) – Public officials: home information As amended April 20, 2005 Prohibits any state or local agency from hosting or providing service to an Internet web site that posts an official's home address or telephone number, or discloses the location thereof. Also provides that an official whose home address or telephone number is disclosed as a result of a violation of these provision may recover actual damages, including court costs, lost wages, attorney's fees, pain and suffering, punitive damages and any other relief that a court deems proper and appropriate.	Support	Author	Senate Judiciary Committee 2-year bill

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of October 28, 2005
AB 1158 (DP)	AB 1158 (Lieber) – Civil procedure: Anti-SLAPP Statute As amended April 25, 2005 Existing law provides that a cause of action against a person arising from any act of that person in furtherance of the person's right of petition or free speech under the United States or California Constitution in connection with a public issue, as specified, shall be subject to a special motion to strike, unless the court, after considering the pleadings and supporting and opposing affidavits, determines that there is a probability that the plaintiff will prevail on the claim. Among other things, this bill would provide that the denial of a defendant's special motion to strike or other dispositive motion by the trial court shall not constitute probable cause for bringing or maintaining the cause of action challenged by the motion if the defendant ultimately prevails with respect to that cause of action, except as specified. The bill contains other related provisions and other existing laws.	Neutral, but inform author of ambiguity in malicious prosecution provision	California Anti-SLAPP Project	Signed into law (Stats. 2005, ch. 535)
AB 1307 (TK)	AB 1307 (Dymally) – Child custody: equal joint custody As amended April 11, 2005 Requires the court in a custody matter to order that parental responsibility for a child be shared equally by both parents, and to award equal joint custody unless the parties jointly request otherwise, or a party alleges and proves by clear and convincing evidence that joint custody would not be in the best interest of the child. Requires the court to make a finding specifically identifying the facts relied upon by the court when it determines that equal joint custody would not be in the child's best interest. Requires the court to impose monetary sanctions if it determines that a person has made a knowingly false sexual or child abuse allegation during a child custody proceeding. Further provides that a finding that an allegation was false constitutes a change of circumstances in a proceeding to modify a custody order.	Oppose	California Shared Parenting Alliance	Assembly Judiciary Committee: Failed Passage. 2-year bill
AB 1322 (DP)	AB 1322 (Evans) – Judges: disqualification As introduced Modifies grounds for disqualification to require more than casual discussions regarding prospective employment with providers of alternative dispute resolution services.	Co-sponsor	Judicial Council and California Judges Association	Signed into law (Stats. 2005, ch. 332)
AB 1435 (EO)	AB 1435 (Evans) – Courthouse Construction Fund As introduced Adds expenditures on "court facilities" to the list of allowable uses of the local courthouse construction funds.	Support if amended	County of Sonoma	Signed into law (Stats. 2005, ch. 410)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of October 28, 2005
AB 1453 (DP)	AB 1453 (Daucher) – Venue: production of groundwater: Water Courts As proposed to be amended Creates new Water Courts to adjudicate cases involving the production of groundwater. Among other things, the bill would establish "water divisions" in nine superior courts to handle groundwater cases within specified regions.	Oppose	Author	Assembly Judiciary Committee. 2-year bill

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of October 28, 2005
AB 1459 (DP)	AB 1459 (Canciamilla) – Small claims court: jurisdiction As amended May 4, 2005 Increases the jurisdiction in small claims court from $5,000 to $10,000 for actions brought by *natural persons*. Provides that, prior to serving as a temporary judge in small claims court (and at least every three years), each temporary judge must take a course of study offered by the Department of Consumer Affairs. In addition, provides that the law library fee in effect in the jurisdiction in which a small claims case is filed shall be applicable to all civil filings in which the plaintiff's claim is $5,000 or more. Seeks to enhance funding for small claims advisory services by increasing the small claims court filing fee as follows: for cases in which the jurisdictional limit exceeds $5,000 but is no more than $7,500, the fee would be increased by $5, and for cases in which the jurisdictional limit exceeds $7,500 but is no more than $10,000, the fee would be increased by $10. Provides that the increase in fees shall supplement, not replace, existing funding sources for advisory services. ***UPDATE: As amended May 18, 2005*** ***Limits increase in jurisdiction to $7,500, rather than $10,000. Adds new filing fee of $50, $5 of which is devoted to enhanced funding for small claims advisory services.*** ***UPDATE: As amended June 21, 2005*** ***Changes filing fee to $75, $23 of which goes to small claims advisers, $2 to law libraries, and the remaining $50 to the Trial Court Trust Fund. Makes these filing fees inoperable if UCF is enacted this session. Requires temporary judges to comply with training standards set by JC rule. Eliminates obligation to provide interpreter services.*** ***UPDATE: As proposed to be amended*** ***Provides that effective July 1, 2006 prior to serving as a temporary judge in small claims court (and at least every three years), each temporary judge must take a course of study pursuant to rules adopted by the Judicial Council. In addition, the bills provide that the course include specified areas of state and federal law relevant to small claims cases. The bills also provide that the individual personal advisory services provided to small claims litigants must cover specified topics relating to small claims court rules, filings and procedures.*** ***Contains legislative findings and declarations addressing: 1) the variation in quality of and access to justice in small claims court across jurisdictions; 2) the need for better and timely training of temporary judges; 3) the need for improvements in the availability, knowledge and experience of advisors; and 4) the need for qualified interpreters. The bills specify the intent of the Legislature that the jurisdictional limits should not be raised again, particularly with respect to individuals as defendants, until certain small claims court services are funded at sufficient levels.*** ***UPDATE: As amended August 16, 2005*** ***Deletes filing fee provisions in light of enactment of UCF legislation.*** ***UPDATE: As amended August 30, 2005*** ***Deletes language in legislative findings regarding compensation for temporary judges.***	Oppose unless amended; support if amended Update: ***As amended May 18, 2005*** ***Support if amended*** Update: ***As amended June 21, 2005*** ***Support if revenue neutral*** Update: ***As proposed to be amended*** ***Support*** Update: ***As amended August 16, 2005*** ***Support if language in legislative findings regarding compensation for temporary judges is removed*** Update: ***As amended August 30, 2005*** ***Support***	Author	Signed into law (Stats. 2005, ch. 618)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of October 28, 2005
AB 1551 (JC)	AB 1551 (Runner) – Sexual predators: dismissal of actions As introduced Strengthens the sentencing scheme for sexual assault on children and, among other things, prohibits a court from striking an allegation, admission, or finding of a prior conviction pursuant to Penal Code section 1385 for defendants who are convicted of certain sex offenses. ***UPDATE: As amended May 18, 2005*** ***Struck language prohibiting court from exercising Penal Code Sec. 1385 authority.***	Oppose unless amended Update: ***As amended May 18, 2005*** ***Neutral***	California District Attorneys Association	Senate Public Safety Committee. 2-year bill
AB 1595 (JC)	AB 1595 (Evans) – Public officials: personal information As introduced Prohibits a person, business, or association from selling or trading for value on the Internet the home address or telephone number of any elected or appointed official if that official has made a written demand of that person, business, or association to not disclose his or her home address or telephone number.	Support	Author	Signed into law (Stats. 2005, ch. 343)
AB 1739 (TK)	AB 1739 (Assembly Judiciary Committee) – California Commission on Access to Justice As amended May 20, 2005 Requires the California Commission on Access to Justice to issue a written report to the Assembly and Senate Judiciary Committees by January 1, 2007, containing recommendations for specific actions that would assist the State Bar, the Judicial Council, the California Supreme Court, or the Legislature in ensuring equal access to justice for low income Californians. The bill specifically requires that the report focus on the following areas: unmet need in rural areas; pro bono service programs; services for self-represented litigants with limited English; and public or private funds to provide equal justice.	Support	Assembly Judiciary Committee	Vetoed
AB 1742 (TK, EO, DP, RS)	AB 1742 (Assembly Judiciary Committee) – Courts: civil procedure As amended April 18, 2005 Deletes the sunset on CCP section 128.7, thereby continuing the courts' ability to impose sanctions for the filing of frivolous lawsuits. Clarifies and streamlines small claims court procedures, extends the sunset of the security fee, and requires that acceptance of an offer to compromise a lawsuit must be in writing. Note: the bill also contains several technical proposals that are sponsored by other entities.	Sponsor	Judicial Council, County of San Mateo and Conference of Delegates of California Bar Associations	Signed into law (Stats. 2005, ch. 706)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of October 28, 2005
ACR 30 (EO)	ACR 30 (McCarthy) – Civic mission of schools As introduced Urges the State Board of Education and all local school governing bodies to examine current practice and develop plans to increase and broaden emphasis on principles of democracy in California schools.	Support	Constitutional Rights Foundation in collaboration with the Center for Civic Education and the Alliance for Represen-tative Democracy.	Signed into law (Stats. 2005, ch. 54)
SB 56 (EO/TK)	SB 56 (Dunn) – Trial courts: judgeships As amended April 18, 2005 Authorizes an additional 50 judges per year for the next three fiscal years based upon uniform criteria. Provides for the conversion of 161 subordinate judicial officers based upon uniform criteria.	Sponsor	Judicial Council	Assembly Appropriations Committee—Held under submission.
SB 57 (RS)	SB 57 (Alarcon) – Bail schedule: new penalty assessments As introduced Authorizes a county board of supervisors to levy a new $2 penalty assessment for every $10 in base fine, upon every fine, penalty, or forfeiture imposed and collected by the courts for criminal offenses, as specified. The revenue would be deposited in the county treasury for use by trauma care centers. In addition, the bill authorizes a county board, by resolution, to levy another $2 penalty assessment for every $10 in base fine, upon every fine, penalty, or forfeiture imposed and collected by the courts for seat belt, speed limit, DUI and domestic violence offenses. ***UPDATE: As amended May 27, 2005*** ***Amended to delete the category-specific assessment.***	Original position: Oppose Update: ***As amended May 27, 2005*** ***Neutral if funded***	Author	Vetoed

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of October 28, 2005
SB 93 (EO)	SB 93 (Florez) – Local government finance: Tulare County As introduced Validates the distribution of fines, fees, forfeitures, and penalties made by the County of Tulare in the 1996-97 to 1999-2000 fiscal years, inclusive, as specified, except for $121,000 to the Trial Court Trust Fund, $293,000 to the Trial Court Improvement Fund (TCIF), and those amounts owed to other local agencies. This bill is identical to SB 324 (Florez) and similar to SB 820 (Costa) that were opposed by the Judicial Council in previous legislative sessions. ***UPDATE*: *As amended March 29, 2005*** ***Amended to allow the county to pay any interest and penalties owed to the Trial Court Trust Fund and the Trial Court Improvement Fund over a period of 10 years.***	Original position: Oppose Update: ***As amended March 29, 2005*** ***Neutral***	Tulare County	Assembly Appropriations Committee—Held under submission
SB 171 (JC)	SB 171 (Alquist) – Interrogation: recording: jury instruction As amended April 4, 2005 Requires that any custodial interrogation of an individual relating to a felony offense be electronically recorded, and codifies a jury instruction to be used verbatim if a court finds that a defendant was subjected to an unlawful custodial interrogation. ***UPDATE: As amended May 27, 2005*** ***Allows instruction to be "substantially similar" to that which is set forth in bill.***	Original position: Oppose unless amended Update: ***As amended May 27, 2005*** ***Neutral***	American Civil Liberties Union California Public Defenders Association	Assembly Appropriations Committee. 2-year bill
SB 330 (JC)	SB 330 (Cedillo) – Criminal proceedings: mental competency As amended March 29, 2005 Requires a criminal action to be dismissed if a defendant in a misdemeanor or infraction case is not brought to trial within 30 days after the date of the reinstatement of criminal proceedings pursuant to the provisions of law governing the mental competency of defendants.	Support	Los Angeles City Attorney	Signed into law. (Stats. 2005, ch. 36)
SB 359 (TK)	SB 359 (Ortiz) – Child custody As proposed to be amended Makes various changes in the Family Code related to supervised and unsupervised visitation. Requires the Judicial Council to develop and implement standards for training on the new provisions in SB 359, train all newly elected judges on the topic, and ensure that any judicial officer who conducts hearings related to the section will have met those standards by 2008. Requires an annual report to the Legislature regarding compliance with these requirements.	Oppose	Legislative Coalition to Prevent Child Abuse	Senate Judiciary Committee. 2-year bill
SB 395 (EO)	SB 395 (Escutia) – California Court Facilities Bond Act of 2006 As introduced States the intent of the Legislature to enact the California Court Facilities Bond Act of 2006 to acquire, rehabilitate, construct, and finance these court facilities.	Sponsor	Judicial Council	Assembly Appropriations Committee

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of October 28, 2005
SB 422 (DP)	SB 422 (Simitian) – Small claims court: jurisdiction As amended May 5, 2005 Raises the small claims court jurisdiction, for actions brought by *natural persons,* to $7,500. Provides that, prior to serving as a temporary judge in small claims court (and at least every three years), each temporary judge must take a course of study offered by the Department of Consumer Affairs. Provides that the law library fee in effect in the jurisdiction in which a small claims case is filed shall be applicable to all civil filings in which the plaintiff's claim is $5,000 or more. Seeks to enhance funding for small claims advisory services by increasing the small claims court filing fee for cases in which the jurisdictional limit exceeds $5,000 by $5, and provides that the increase in fees shall supplement, not replace, existing funding sources for advisory services. ***UPDATE: As amended June 21, 2005*** ***Changes filing fee to $75, $23 of which goes to small claims advisers, $2 to law libraries, and the remaining $50 to the Trial Court Trust Fund. Makes these filing fees inoperable if UCF is enacted this session. Requires temporary judges to comply with training standards set by JC rule. Eliminates obligation to provide interpreter services.*** ***UPDATE: As proposed to be amended*** ***Provides that effective July 1, 2006 prior to serving as a temporary judge in small claims court (and at least every three years), each temporary judge must take a course of study pursuant to rules adopted by the Judicial Council. In addition, the bills provide that the course include specified areas of state and federal law relevant to small claims cases. The bills also provide that the individual personal advisory services provided to small claims litigants must cover specified topics relating to small claims court rules, filings and procedures.*** ***Contains legislative findings and declarations addressing: 1) the variation in quality of and access to justice in small claims court across jurisdictions; 2) the need for better and timely training of temporary judges; 3) the need for improvements in the availability, knowledge and experience of advisors; and 4) the need for qualified interpreters. The bills specify the intent of the Legislature that the jurisdictional limits should not be raised again, particularly with respect to individuals as defendants, until certain small claims court services are funded at sufficient levels.*** ***UPDATE: As amended August 16, 2005*** ***Deletes filing fee provisions in light of enactment of UCF legislation.*** ***UPDATE: As amended August 25, 2005*** ***Deletes language in legislative findings regarding compensation for temporary judges.***	Original position: Support if amended Update: ***As amended June 21, 2005*** ***Support if revenue neutral*** Update: *As proposed to be amended* *Support* Update: ***Support if language in legislative findings regarding compensation for temporary judges is removed*** Update: ***As amended August 25, 2005*** ***Support***	Author	Signed into law (Stats. 2005, ch. 600)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of October 28, 2005
SB 506 (JC)	SB 506 (Poochigian) – Voter records: confidentiality As introduced Extends existing voter registration confidentiality programs for "Victims of Domestic Violence and Stalking" and "Reproductive Health Care Services Providers, Employees, Volunteers, and Patients" to include a public safety official if his or her employer certifies that he or she is a public safety official.	Support	Author	Assembly Rules Committee. 2-year bill.
SB 528 (JC)	SB 528 (Ackerman and Dunn) – Judges' retirement systems As introduced Declares the Legislature's intent to evaluate the impact of trial court unification on the judges' retirement systems and the resulting increase in the judges' age at the start of their judicial service.	Co-sponsor	Judicial Council and California Judges Association	2-year bill
SB 544 (TK)	SB 544 (Battin) – Sex offenders: custody and visitation As amended March 29, 2005 Prohibits the court in a child custody matter from allowing unsupervised access to a child if the person seeking custody or visitation has been convicted of specified sex offenses and the child is under 14, or if the person seeking custody has been convicted of specified crimes against children. Requires that the court find that there is no risk to the child before granting unsupervised access to a child 14 or older in the situation described above.	Oppose	Author	Senate Judiciary Committee. 2-year bill
SB 575 (DP)	SB 575 (Torlakson) – Housing development projects: Anti-NIMBY Law As amended June 16, 2005 Makes substantial changes to the exemptions and enforcement provisions of the Anti-NIMBY (Not in My Backyard) Law. Among other things, the bill provides that actions to enforce its provisions "shall have precedence over all other civil actions and proceedings in the same manner and to the same extent as provided in subdivision (a) of Section 21167.1 of the Public Resources Code." (Proposed Govt. Code section 65589.5(m); p. 10, lines 4-7.) Section 21167.1, subdivision (a), of the Public Resources Code, which establishes a calendar preference for actions under the California Environmental Quality Act (CEQA), provides: In all actions or proceedings brought pursuant to [CEQA], including the hearing of an action or proceeding on appeal from a decision of a lower court, all courts in which the action or proceeding is pending shall give the action or proceeding preference over all other civil actions, in the matter of setting the action or proceeding for hearing or trial, and in hearing or trying the action or proceeding, so that the action or proceeding shall be quickly heard and determined. The court shall regulate the briefing schedule so that, to the extent feasible, the court shall commence hearings on an appeal within one year of the date of the filing of the appeal. ***UPDATE: As amended August 18, 2005*** ***Deleted above calendar preference language.***	Oppose unless amended Update: ***As amended August 18, 2005*** ***Removed opposition; no position***	California Apartment Association, California Housing Council, California Rural Legal Assistance Foundation, and Western Center on Law and Poverty	Signed into law (Stats. 2005, ch. 601)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of October 28, 2005
SB 726 (TK)	SB 726 (Florez) – Dependent children As introduced Makes changes to procedures regarding juvenile dependency matters including the following: • Requires social workers to visit the home of, and conduct criminal records checks of all persons living in the home of, a noncustodial parent prior to the placement of a child who has been removed from the custody of the other parent in that home. • Requires that an interview with foster parents be conducted before returning a child to his or her parents, and that the court consider that report. • Requires that a social worker conduct a second home visit after a child has been returned to the home of his or her parent. If that home visit is not completed in a reasonable time, or the social worker finds that the home is not clean and safe, requires removal of the child. • Requires the court to order a parenting class post-reunification for any parent who has had a child under the age of 6 removed from their custody and placed in foster care. ***UPDATE: As amended May 17, 2005*** • ***Eliminates provisions above*** • ***Requires a social worker to provide a caregiver information form to a foster parent in a case where return to a non-custodial parent is being considered*** • ***Requires the court to order a 2nd home visit for a child returned to a non-custodial parent where the court receives information indicating that follow-up supervision is warranted.***	Oppose unless amended Update: ***As amended May 17, 2005*** ***No position***	Author	Signed into law (Stats. 2005, ch. 632)
SB 733 (EO)	SB 733 (Aanestad) – Public employees' retirement: Butte County As introduced Requires the assets and liabilities of the Superior Court of Butte County and the County of Butte to be kept in separate accounts within the retirement fund. Requires the separation of assets and liabilities to be calculated retroactively from June 30, 2002.	Oppose unless amended	Butte County	Assembly Appropriations Committee—Suspense file.
SB 874 (JC)	SB 874 (Romero) – Public contracts: jury service As amended April 11, 2005 Prohibits a state agency from entering into a contract for the acquisition of goods or services with a contractor who does not have and adhere to a written policy providing his or her employees with not less than ten days of regular pay for actual jury service.	Support	Consumer Attorneys of California	Vetoed

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of October 28, 2005
SCA 16 (JC)	SCA 16 (Runner) – Judicial districts: superior court judges As introduced Provides that the superior court of any county with a population of more than 5,000,000 shall be divided into judicial districts established by three special masters appointed by the Supreme Court within 30 days after the effective date of the measure. Provides that each district must be geographically compact and contiguous to the extent practicable, and consist of no more than 36 superior court judges. The districts must also comply with the federal Voting Rights Act.	Oppose	Author	Senate Judiciary Committee

Appendix
Status of 2005 Judicial Council-sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status As of October 28, 2005
AB 519 (TK)	AB 519 (Leno) – Parental rights As introduced Authorizes a dependent child freed for adoption to petition the court for reinstatement of parental rights where the child has not been adopted within three years from the date that his or her parents' rights were terminated, or upon stipulation by all parties that the child is no longer adoptable. If it appears that reinstatement may promote the best interests of the child, the court shall set the matter for hearing and cause notice to be provided. The court shall grant the petition if it finds by a preponderance of the evidence that the child is no longer adoptable, and that reinstatement of parental rights is in the child's best interest. ***UPDATE: As amended March 30, 2005*** ***Includes Judicial Council sponsored legislation to broaden the authority of the juvenile court to issue protective order.***	Children's Law Center and Judicial Council	Signed into law (Stats. 2005, ch. 634)
AB 1322 (DP)	AB 1322 (Evans) – Judges: disqualification As introduced Modifies grounds for disqualification to require more than casual discussions regarding prospective employment with providers of alternative dispute resolution services.	Judicial Council and California Judges Association	Signed into law (Stats. 2005, ch. 332)
AB 1742 (TK, EO, DP, RS)	AB 1742 (Assembly Judiciary Committee) – Courts: civil procedure As amended April 18, 2005 Deletes the sunset on CCP section 128.7, thereby continuing the courts' ability to impose sanctions for the filing of frivolous lawsuits. Clarifies and streamlines small claims court procedures, extends the sunset of the security fee, and requires that acceptance of an offer to compromise a lawsuit must be in writing. Note: the bill also contains several technical proposals that are sponsored by other entities.	Judicial Council, County of San Mateo, and Conference of Delegates of California Bar Associations	Signed into law (Stats. 2005, ch. 706)
SB 56 (EO)	SB 56 (Dunn) – Trial courts: judgeships As amended April 18, 2005 Authorizes an additional 50 judges per year for the next three fiscal years based upon uniform criteria. Provides for the conversion of 161 subordinate judicial officers based upon uniform criteria.	Judicial Council	Assembly Appropriations Committee—Held under submission.

Appendix
Status of 2005 Judicial Council-sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status As of October 28, 2005
SB 395 (EO)	SB 395 (Escutia) – California Court Facilities Bond Act of 2006 As introduced States the intent of the Legislature to enact the California Court Facilities Bond Act of 2006 to acquire, rehabilitate, construct, and finance these court facilities.	Judicial Council	Assembly Appropriations Committee
SB 528 (JC)	SB 528 (Ackerman and Dunn) – Judges' retirement systems As introduced Declares the Legislature's intent to evaluate the impact of trial court unification on the judges' retirement systems and the resulting increase in the judges' age at the start of their judicial service.	Judicial Council and California Judges Association	2-year bill