Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

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MEMORANDUM

TO: Honorable Ronald M. George
Members of the Policy Coordination and Liaison Committee
William C. Vickrey, Administrative Director of the Courts

FROM: Kathleen Howard, Director
Office of Governmental Affairs

DATE: November 17, 2006

RE: Status of 2006 legislation considered by the Policy Coordination and Liaison Committee—Final

Following is the status report on 2006 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" summarizes the relevant portions of the bill on which the PCLC position is based. The description is updated to reflect the most current version of the bill. The "Judicial Council position" column tracks the council's initial position and any subsequent change to that position.

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

JUDICIAL COUNCIL OF CALIFORNIA
Status of 2006 Legislation Considered by the
Policy Coordination and Liaison Committee

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Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of November 14, 2006
AB 759 (June Clark)	AB 759 (Lieber) – Misdemeanors: new penalty assessment As amended August 8, 2006 Gutted and amended to address unrelated topic.	Original: Oppose unless amended to apply to all categories of offenses, and funded Update: As amended January 4, 2006 No position	Silicon Valley Crime Stoppers	Vetoed
AB 1035 (June Clark)	AB 1035 (Spitzer) – Public officials: home information As amended May 16, 2005 Prohibits any person from knowingly (1) posting on the Internet, (2) hosting or providing service to an Internet Web site that posts or, (3) disclosing an official's home address or telephone number. 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	Dead
AB 1363 (Dan Pone)	AB 1363 (Jones) – Omnibus Conservatorship and Guardianship Reform Act of 2006 As amended August 7, 2006 Among other things, requires annual reviews of conservatorships, but allows the court to set reviews on 2 year cycles if the court determines that the conservator is acting in the best interest of the conservatee. Also requires additional court investigations, including an investigation in cases where a temporary conservatorship is being sought, as well as at 6 months after establishment of the conservatorship**.** In addition, requires the Judicial Council to: adopt rules of court relating to conservatorships and guardianships and to develop and make available, free of charge, an educational video for non-licensed conservators and guardians; establish qualifications and educational classes for probate court attorneys, investigators, examiners and court-appointed counsel, as well as educational classes for judges regularly assigned to hear probate matters; and report to the Legislature the findings of a study measuring court effectiveness in conservatorship cases.	Original: Support if amended and funded Update: As amended June 26, 2006 Support if funded	Bet Tzedek Legal Services and California Alliance for Retired Americans	Signed into law (Stats. 2006, ch. 493)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of November 14, 2006
AB 1551 (June Clark)	AB 1551 (Runner) – Sexual predators: dismissal of actions As amended May 18, 2005 Strengthens the sentencing scheme for sexual assault on children.	Original: Oppose unless amended to strike the provision eliminating the court's authority to dismiss an action in the furtherance of justice. Update: As amended May 18, 2005 Neutral. Problematic language has been stricken.	California District Attorneys Association	Dead
AB 1787 (Tracy Kenny)	AB 1787 (Cohn) – Emergency protective orders As amended March 14, 2006 Requires all emergency protective orders (EPOs) to be issued pursuant to the authorization of a judicial officer based on the individual facts in each request made by law enforcement. It would prohibit the use of a "standing order" to authorize law enforcement to issue an EPO without contacting a judicial officer.	Support	Author	Signed into law (Stats. 2006, ch. 82)
AB 1797 (Eraina Ortega)	AB 1797 (Bermúdez – Trial courts: limited-term employees As amended August 7, 2006 Prohibits use of limited-term employees for work that is an integral part of the long-term, regular work of the trial court. Effective November 1, 2007, requires that a limited-term law clerk become a regular employee if the assignment, position, or project of the limited-term employee is an integral part of the long-term, regular work of the trial court.	Oppose; inappropriately interferes with collective bargaining process, limits courts' authority as an employer.	American Federation of State, County, and Municipal Employees (AFSCME)	Vetoed
AB 1831 (Eraina Ortega)	AB 1831 (Jones) – California Critical Infrastructure Facilities Bond Acts 2006 & 2010 As introduced Enacts the California Critical Infrastructure Facilities Bond Acts of 2006 and 2010. Authorizes the issuance of bonds in the amount of $1,800,000,000 over 10 years, for the purposes of financing capital outlay related to the acquisition, design, construction, or renovation of trial court facilities. Provides for submission of the bond acts to the voters at successive election cycles in 2006 and 2010.	Support	Governor Schwarzenegger	Dead
AB 1932 (June Clark)	AB 1932 (Benoit) – Vehicles: traffic violator schools: regulation As amended April 26, 2006 Provides for the licensing and regulation of home study-based traffic violator schools by the Department of Motor Vehicles and declares the intent of the Legislature to have the Department of Motor Vehicles uniformly regulate all traffic violator schools.	Support	Author	Dead

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of November 14, 2006
AB 1993 (June Clark)	AB 1993 (Nakanishi) – Jurors: exemptions As introduced Exempts a person who holds an active license as a registered nurse from jury service.	Oppose; categorical exemptions reduce juror availability and unfairly burden other segments of the population.	Author	Dead
AB 1995 (Eraina Ortega)	AB 1995 (Koretz) – Trial court employees: personnel files As amended April 17, 2006 Requires a trial court to make available for inspection any personnel file, not just official files, used to determine an employee's qualifications for employment, promotion, or discipline.	Original: Oppose unless amended to make clear that supervisors' files will be confidential. Update: As amended April 17, 2006 Oppose unless amended to clarify that only files that are used to take action on employment, promotion, or disciplinary matters will be available to the employees.	American Federation of State, County, and Municipal Employees (AFSCME)	Signed into law (Stats. 2006, ch. 187)
AB 2031 (Tracy Kenny)	AB 2031 (Cohn) – Dependent children As amended March 29, 2006 Requires the California Department of Social Services (DSS), in conjunction with other child welfare system stakeholders, to draft guidelines outlining best practices in the use of advanced technology to assist counties in identifying all relatives and nonrelative-extended family members for foster youth.	Support	Author	Vetoed
AB 2129 (Tracy Kenny)	AB 2129 (Spitzer) – Firearms relinquishment: protective orders As amended June 21, 2006 Requires that any firearms in the possession of a person subject to a protective order issued by a criminal court, or for civil harassment, workplace violence, or elder and dependent adult abuse be relinquished within 24 hours of the order being served on the restrained person. Requires that proof of relinquishment be filed with the court within 48 hours of service.	Sponsor	Judicial Council	Signed into law (Stats. 2006, ch. 474)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of November 14, 2006
AB 2130 (Tracy Kenny)	AB 2130 (DeVore) – Placement of children: values As introduced Requires the court to consider the religious, cultural, moral, and ethnic values of a child or of his or her birth parents, if those values are known or ascertainable, before placing the child for adoption or appointing a legal guardian for the child in cases where the child is a dependent child for whom parental rights have been terminated or a child who has been placed for adoption by a licensed county adoption agency or the State Department of Social Services.	Oppose; inappropriately limits judicial discretion.	Pacific Justice Institute	Dead
AB 2159 (June Clark)	AB 2159 (Cogdill) – Bail hearing: residential burglary As amended April 6, 2006 Includes residential burglary in the list of offenses for which a court is required to hold a bail hearing before deviating from the bail schedule.	No position	Author	Dead
AB 2227 (Eraina Ortega)	AB 2227 (Chu) – Court interpreters As amended August 7, 2006 Requires the Judicial Council to establish the Blue Ribbon Panel on Language Access in the Courts. Specifies that the panel will consist of 15 members to be appointed by the Chairperson of the Senate Rules Committee, the Speaker of the Assembly, and the Chairperson of the Judicial Council. A majority of members of the panel will be court interpreters. Requires the panel to report to the Legislature and the Judicial Council on the existing interpreter certification system.	Original: Oppose; limits the Judicial Council's ability to ensure the quality of court interpreters. Update: As amended August 7, 2006 Support	California Federation of Interpreters and The Newspaper Guild-Communications Workers of America	Vetoed
AB 2301 (Tracy Kenny)	AB 2301 (Asm. Jud. Comm.) – State Bar: legal services to the poor As amended August 8, 2006 Provides the State Bar with the authority to collect voluntary financial support from its membership to support organizations that provide free legal services to those of limited means. Requires the Bar Board of Governors, in consultation with the Chief Justice, to appoint a task force to propose a method for collection and distribution of the funds.	Support	Author	Signed into law (Stats. 2006, ch. 165)
AB 2302 (Eraina Ortega)	AB 2302 (Asm. Jud. Comm.) – Evidence: court interpreters As amended August 9, 2006 Requires that an interpreter be present whenever needed in any civil matter, including family law and probate, or in any court-ordered or court-provided alternative dispute resolution, including mediation and arbitration. Requires that unless a party has notified the court that he or she has made arrangements for a private interpreter, the court shall provide the interpreter. Specifies the priority for use of funding and interpreters provided for civil matters.	Support if funded	Assembly Member Dave Jones	Vetoed

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of November 14, 2006
AB 2303 (Tracy Kenny, Dan Pone)	AB 2303 (Asm. Jud. Comm.) – Civil omnibus: court operations As amended August 14, 2006 The Judicial Council sponsors the following provisions of this omnibus bill: clarifies the procedures governing a change of name; makes service times for elder abuse protective orders consistent with other protective orders; authorizes courts to receive notice to appear citations for non-parking Vehicle Code violations electronically if the court has the ability to receive the information and reproduce it in a printed form; and extends the sunset date on existing statutory authority for courts to impose modest monetary sanctions upon jurors who fail to respond to a jury summons.	Sponsor (of specified provisions)	Judicial Council	Signed into law (Stats. 2006, ch. 567)
AB 2305 (Eraina Ortega)	AB 2305 (Klehs) – Courts: court reporting As introduced Shifts court reporter transcript fees from a word or folio rate to a page rate and creates a standard format for each page. Increases the transcript rate to $3.57 per page and $.63 per copied page. Adds an additional 18 percent per page for civil transcripts. Expands the 50 percent additional charge for daily copy service to criminal transcripts. Prohibits any court, party, or person who has purchased the transcript from loaning it to another party or person.	Oppose unless funded and amended to 1) exempt courts from rate differentials; 2) address access to justice issues; 3) address concerns about the standard page format proposed in the bill	California Official Court Reporters Association (COCRA)	Dead
AB 2455 (Dan Pone)	AB 2455 (Nakanishi) – Small claims court: jurisdiction: claims against defendant guarantors As amended June 20, 2006 Provides that the small claims court has jurisdiction in an action brought by a natural person against the Registrar of the Contractors State License Board as the defendant guarantor holding a contractor's cash deposit if the amount of the demand does not exceed $7,500.	Support	Contractors State License Board	Signed into law (Stats. 2006, ch. 150)
AB 2480 (Tracy Kenny)	AB 2480 (Evans) – Dependent children: counsel As amended August 22, 2006 Requires the appointment of appellate counsel to represent a dependent child if the child is an appellant, or if the court of appeal determines that the child would benefit from the appointment of separate counsel. To assist the court in making that determination, the proposed amendments would require the child's trial counsel or Child Abuse Prevention and Treatment Act guardian ad litem (CAPTA GAL) to make a recommendation to the court that counsel be appointed if the counsel or GAL finds that the child's best interests on appeal cannot be protected without the appointment of separate counsel, and sets forth reasons for this finding. These requirements would be implemented through a rule of court to be adopted by July 1, 2007. In addition, the bill requires the Judicial Council to report to the Legislature regarding the actions it takes to address the representation of dependent children in appellate proceedings, including any recommendations made by the Judicial Council's Blue Ribbon Commission on Children in Foster Care.	Support if funded	Children's Law Center, National Center for Youth Law, and the Children's Advocacy Institute	Signed into law (Stats. 2006, ch. 385)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of November 14, 2006
AB 2550 (June Clark)	AB 2550 (Blakeslee) – National Guard: exemption from jury duty As amended August 7, 2006 Expands various non-court-related military privileges to members of the California National Guard.	Oppose; categorical exemptions reduce juror availability and unfairly burden other segments of the population. Update: As amended August 7, 2006 Neutral. Amendments eliminated categorical jury exemption provision.	Author	Signed into law (Stats. 2006, ch. 494)
AB 2558 (June Clark)	AB 2558 (Benoit) – Vehicles: suspension and revocation As amended, March 27, 2006 Increases punishment for a person who drives with a license suspended or revoked for a DUI four or more times within a ten-year period. Requires the revocation of the person's driving privilege, and the designation of that person as a habitual traffic offender for three years, subsequent to the conviction. Prohibits the court from striking a finding that brings a person within these provisions.	Oppose unless amended to delete provisions eliminating court's authority to strike priors.	Riverside County Deputy District Attorney Cregor Datig	Dead
AB 2618 (Dan Pone)	AB 2618 (Berg) – Small claims court: actions As amended, June 5, 2006 Conforms various statutes to the recently enacted increase in the jurisdictional limits of small claims court. Specifically, this bill adds cross-references to Code of Civil Procedure section 116.221 (which increased the jurisdiction from $5,000 to $7,500 for actions brought by natural persons) in various codes.	Support	Author	Signed into law (Stats. 2006, ch. 167)
AB 2814 (June Clark)	AB 2814 (Berg) – Criminal procedure: continuances As introduced Adds cases involving elder or dependent adult abuse to the list of cases that are categorically eligible for good cause continuance in criminal proceedings under Penal Code section 1050.	Oppose; inappropriately interferes with court function.	Los Angeles City Attorney Rocky Delgadillo	Dead
AB 2870 (June Clark)	AB 2870 (De La Torre) – Correctional facilities: communicable diseases As amended August 7, 2006 Allows a judge, courtroom personnel, or any other individual who is the victim of an assault by a defendant in a court facility to request that the defendant be tested for hepatitis B and C as well as HIV and AIDS.	Support	Los Angeles County Board of Supervisors	Signed into law (Stats. 2006, ch. 800)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of November 14, 2006
ACA 37 (June Clark)	ACA 37 (Romero) – Victims' rights As introduced Expands the existing constitutional rights of crime victims to include, among other things, the right to be present at all juvenile and criminal proceedings, and post-sentencing hearings, and the right to have an attorney or the district attorney enforce their rights in court.	No position, but direct staff to work with proponents on implementation and fiscal concerns.	Governor Schwarzenegger	Dead
ACA 38 (Donna Hershkowitz)	ACA 38 (DeVore) – The Supreme Court: jurisdiction: initiative measure and referendum As introduced Provides that the Supreme Court has original jurisdiction, and no other state court has jurisdiction, in any civil action challenging the facial validity of any statewide initiative measure or referendum placed on the ballot by signature petition of the voters and approved by the voters at a statewide election. Requires the Supreme Court to issue its decision within 90 days of the filing of the action, and establishes a 90-day statute of limitations for civil actions challenging the facial validity of this type of initiative measure or referendum.	Oppose; California Constitution already allows petition for extraordinary relief directly to Supreme Court; inappropriately interferes with court discretion to hear cases.	Author	Dead
SB 10 (Eraina Ortega)	SB 10 (Dunn) – Trial court facilities As amended August 30, 2006 Revises the Trial Court Facilities Act of 2002 to allow buildings with a seismic level V rating to transfer to the state so long as counties remain liable for earthquake-related damage, replacement, injury, and loss to the same extent that they would have been liable if the responsibility for court facilities had not transferred to the state. This liability will attach to the county until on or after the earliest of the following: 1) the seismic rating is improved; 2) the building no longer contains court facilities; 3) 35 years has passed from the date of transfer of the facilities; or 4) the county has complied with the conditions for relief from liability contained in an agreement, as specified.	Support	Judicial Council	Signed into law (Stats. 2006, ch. 444)
SB 56 (Eraina Ortega/Tracy Kenny)	SB 56 (Dunn) – Trial courts: judgeships As amended August 29, 2006 Authorizes 50 additional judges based upon the uniform criteria and allocation approved by the Judicial Council pursuant to the Judicial Needs Study. Requires the Judicial Council to report to the Legislature biannually on the continuing need for new judgeships and their allocation based on the same uniform criteria.	Sponsor	Judicial Council	Signed into law (Stats. 2006, ch. 390)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of November 14, 2006
SB 93 (Eraina Ortega)	SB 93 (Florez) – Local government finance: Tulare County As amended May 31, 2005 Requires Tulare county to pay interest on revenues that were not remitted to the Trial Court Trust Fund and Trial Court Improvement Fund on time. Allows the interest to be calculated based on the average of Annual Earnings Rates for the Pooled Money Investment Account for the 1996-97 to 2003-04 fiscal years, inclusive, rather than the higher 18 percent that is required under current law.	Original: Oppose; Would set a precedent that may result in deficiencies in court funding. Update: As amended March 29, 2005 Neutral	Tulare County	Dead
SB 171 (June Clark)	SB 171 (Alquist) – Interrogation: recording: jury instruction As amended August 21, 2006 Provides that if a court finds that a defendant was subjected to a custodial interrogation in violation of the law, the court shall, at the request of the defendant, provide the jury with an instruction to be developed by the Judicial Council that advises the jury to view the statements made in that custodial interrogation with caution.	Original: Oppose unless amendments allow instruction to be substantially similar to that set forth in bill. Update: As amended August 21, 2006 Neutral. Amendments require Judicial Council to develop instruction.	American Civil Liberties Union, California Public Defenders Association	Vetoed
SB 395 (Eraina Ortega)	SB 395 (Escutia) – California Court Facilities Bond Act of 2006 As amended May 31, 2005 Authorizes an unspecified amount in bonds for the acquisition and maintenance of court facilities.	Sponsor	Judicial Council	Dead
SB 506 (June Clark)	SB 506 (Poochigian) – Voter records: confidentiality As amended August 7, 2006 Requires a local elections official to extend existing voter registration confidentiality programs for “Victims of Domestic Violence and Stalking" and "Reproductive Health Care Services Providers, Employees, Volunteers, and Patients" to include specified public safety officials, upon application, if the local elections official is authorized to do so by his or her county board of supervisors. The application of a public safety official would be a public record. Requires each candidate for judicial office to file a declaration of intention to become a candidate and to pay the appropriate filing fee for filing the declaration.	Support	Author	Signed into law (Stats. 2006, ch. 466)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of November 14, 2006
SB 528 (June Clark)	SB 528 (Ackerman) – Judges' retirement 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.	Sponsor	Judicial Council	Dead
SB 733 (Eraina Ortega)	SB 733 (Aanestad) – Public employees' retirement: Butte County As amended July 1, 2005 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 to address the need to split court and county retirement data.	Butte County	Dead
SB 797 (June Clark)	SB 797 (Romero) – Crimes: marijuana possession: penalty As proposed to be amended Would reclassify from a misdemeanor to an infraction a first offense for possession of not more then 28.5 grams of marijuana, and would make it an alternate infraction/misdemeanor for a subsequent offense. Classification as an infraction is consistent with the punishment provided in existing law of a fine not to exceed $100.	Support	Judge Quentin Kopp (Ret.)	Dead
SB 1015 (Tracy Kenny)	SB 1015 (Murray) – Dissolution of marriage: financial declarations As amended April 25, 2006 Provides the court with discretion to redact financial information from marital dissolution files and imposes a balancing test to determine whatever redaction is appropriate. However, certain information from marital dissolution files requires redaction upon request for specified information including asset and income information. Authorizes a fee for redaction. Requires a gender fairness study upon appropriation of funds by the Legislature.	Original: Oppose Update: As amended April 25, 2006 Oppose; lessens public trust in court and imposes unnecessary administrative burdens.	Fred Silberberg (a Certified Family Law Specialist practicing in Los Angeles)	Dead
SB 1116 (Dan Pone)	SB 1116 (Scott) – Conservatorships As amended August 15, 2006 Among other things, creates a presumption that the least restrictive appropriate setting for the conservatee at the commencement of the conservatorship is his or her home. Requires conservators to make specified showings in connection with proposed moves of conservatees. Places new limits on the conservator's power to sell the conservatee's residence.	Original: Support if amended to address technical drafting concerns Update: As amended June 27, 2006 Support	Author	Signed into law (Stats. 2006, ch. 490)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of November 14, 2006
SB 1128 (June Clark)	SB 1128 (Alquist) – Sex Offender Punishment, Control, and Containment Act of 2006 As amended August 22, 2006 Establishes a comprehensive scheme for the "punishment, control, and containment" of sex offenders.	Original: Oppose unless amended to delete new provisions eliminating the court's authority to dismiss an action in the furtherance of justice and to address record retention issues. Update: As amended April 18, 2006 No position. Amendments eliminate provisions prohibiting the court from exercising its discretion to strike charges or allegations of prior offenses in the interests of justice, and change record retention requirements to 75 years rather than for life of the defendant.	Author	Signed into law (Stats. 2006, ch. 337)
SB 1163 (Eraina Ortega)	SB 1163 (Ackerman) – California Critical Infrastructure Facilities Bond Acts of 2006 & 2010 As introduced Enacts the California Critical Infrastructure Facilities Bond Acts of 2006 and 2010. Authorizes the issuance of bonds in the amount of $1,800,000,000 over 10 years, for the purposes of financing capital outlay related to the acquisition, design, construction, or renovation of trial court facilities. Provides for submission of the bond acts to the voters at successive election cycles in 2006 and 2010.	Support	Governor Schwarzenegger	Dead
SB 1187 (June Clark)	SB 1187 (Ackerman) – Judges' Retirement System II As amended June 8, 2006 Permits a judge in the Judges' Retirement System II who leaves judicial office after five or more years of service and is not eligible to retire to elect to receive the amount in his or her retirement account as an annuity. Would also require that, if a judge reenters service after electing to receive the amount in his or her retirement account as an annuity, the judges would reenter service as a new member of the Judges' Retirement System II without credit for any previous service, as specified.	Sponsor	Judicial Council	Dead

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of November 14, 2006
SB 1211 (Dan Pone)	SB 1211 (Poochigian) – Estates and trusts: creditors' claims As amended March 28, 2006 Makes various changes to the provisions governing creditors' claims against decedents' estates and trusts, primarily to resolve inconsistencies between the two types of claims procedures. Among other things, the bill revises the procedure for giving notice to a creditor of a trust, lengthens the period of time that a creditor of a trust may file a claim, and revises provisions pursuant to which a creditor of a trust may file, and a court may allow, a late claim.	Support	Trusts and Estates Section, State Bar of California	Dead
SB 1257 (June Clark)	SB 1257 (Morrow) – Criminal procedure: appeals: capital cases As amended March 27, 2006 Requires the expeditious handling of appeals in capital cases. Requires appellate counsel to be appointed for the defendant within one year of the pronouncement of judgment, and for the record on appeal to be certified and transmitted to the Supreme Court within one year after appellate counsel is appointed. Requires appellant's opening brief to be filed within one year after the record is transmitted to the Supreme Court, and requires attorneys who accept appointments before district courts of appeal to be available for appointment by the Supreme Court on capital cases.	Oppose; inappropriately interferes with Supreme Court role in capital appeals	Author	Dead
SB 1281 (June Clark)	SB 1281 (Romero) – Public contracts: jury service As amended April 18, 2006 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 five days of regular pay for actual jury service.	Support	Consumer Attorneys of California	Vetoed
SB 1364 (June Clark)	SB 1364 (Battin) – Marriage licenses: public safety officials' home addresses As amended May 2, 2006 Allows an applicant for or witness to a marriage license or certificate of registry to use a mailing address instead of a residential address for verification purposes.	Support	California Judges Association	Signed into law (Stats. 2006, ch. 60)
SB 1375 (Eraina Ortega)	SB 1375 (Lowenthal) – Courts: replacement of deficient facilities As introduced Requires the state to become a party to any public-private partnership agreement entered into by a county that involves a capital lease for construction of replacement court facilities and to become the lessee. Excludes the capital lease from the calculation of the County Facility Payment required by the Trial Court Facilities Act.	Support if amended to address funding needs.	Los Angeles County	Dead

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of November 14, 2006
SB 1482 (Tracy Kenny)	SB 1482 (Romero) – Child custody As amended April 17, 2006 Clarifies that a custodial parent has a presumptive right to change the residence of his or her child subject to the power of the court to restrain a change of residence. The non-custodial parent seeking to restrain the relocation of the child would need to make a prima facie showing of the harm to the child that would result from the relocation necessitating a change in custody but normal incidences of moving, including, but not limited to, increased distance from the noncustodial parent, change of schools or neighborhoods, or alteration of the custody or visitation schedule" are insufficient in and of themselves to establish such a showing, and cannot be the basis for granting an evidentiary hearing. Furthermore, it would apply this provision to any custody arrangement, regardless of how it was made.	Oppose; inappropriately limits judicial discretion	Coalition for Family Equity	Dead
SB 1550 (Dan Pone)	SB 1550 (Figueroa) – Professional Fiduciaries Act As amended August 7, 2006 Among other things, the bill creates the Board of Professional Fiduciaries in the Department of Consumer Affairs, and requires the board to license and regulate professional guardians, conservators, and other fiduciaries. The bill also prohibits a court from appointing a person as a professional fiduciary unless he or she is certified by the board. In addition, the bill deletes the local and statewide registry system, effective July 1, 2008, when the new licensure scheme takes effect.	Original: Support if amended to delete the local and statewide registry system once the new licensure scheme takes effect. Update: As amended June 22, 2006 Support	Professional Fiduciary Association of California	Signed into law (Stats. 2006, ch. 491)
SB 1667 (Tracy Kenny)	SB 1667 (Kuehl) – Dependent children As amended August 21, 2006 Expands opportunities for foster parents and other caregivers to participate in juvenile dependency hearings by requiring that the social worker provide them with a caregiver information form and information on how to submit it to the court. In addition it provides rights for caregivers to attend post-permanency planning hearings and provide written evidence to the court.	Support	Legal Advocates for Permanent Planning	Signed into law (Stats. 2006, ch. 389)
SB 1716 (Dan Pone)	SB 1716 (Bowen) – Conservatorships As amended August 21, 2006 Allows the court, on and after July 1, 2007, on its own motion or upon request, to order a review of the conservatorship at any time. Requires the court investigator's evaluation, on and after July 1, 2007, to include the appropriateness of the conservatee's placement, the conservatee's quality of care, and the conservatee's financial condition. Authorizes the court, effective January 1, 2008, to take action in response to ex parte communications regarding a guardian's or conservator's performance of his or her fiduciary duties, and requires the Judicial Council to adopt a rule of court to implement this provision by January 1, 2008.	Support if funded	Author	Signed into law (Stats 2006, ch. 492)

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Judicial Council Position	Sponsor	Status As of November 14, 2006
SCA 3 (June Clark)	SCA 3 (Lowenthal) – Elections: redistricting As amended August 10, 2006 Shifts redistricting responsibility from the Legislature to an 11-member Independent Redistricting Commission to reapportion legislative and congressional districts. Provides that the California Supreme Court has original and exclusive jurisdiction over all challenges to a redistricting plan adopted by the Commission. Requires the Judicial Council to appoint a panel of ten retired justices of the state courts of appeal, and for that panel to establish a pool of 50 candidates for the Independent Redistricting Commission.	No position, but seek amendments to clarify numerous implementation procedures	Author	Dead
SCA 16 (June Clark)	SCA 16 (Runner) – Judicial districts: superior court judges As amended September 1, 2005 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; reverses years of recent efforts to improve the public's access to the courts and to make efficient use of judicial and court resources.	Author	Dead
SCA 27 (Donna Hershkowitz)	SCA 27 (Hollingsworth) – The Supreme Court: jurisdiction: initiatives and constitutional amendments As introduced Vests exclusive original jurisdiction in the Supreme Court for any civil action in which the validity of an initiative, referendum measure, general obligation bond, or other ballot measure or constitutional amendment approved by the voters is at issue.	Oppose; California Constitution already allows petition for extraordinary relief directly to Supreme Court; inappropriately interferes with court discretion to hear cases.	Author	Dead

Appendix
Status of 2006 Judicial Council-sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status As of November 14, 2006
AB 2129 (Tracy Kenny)	AB 2129 (Spitzer) – Firearms relinquishment: protective orders As amended June 21, 2006 Requires that any firearms in the possession of a person subject to a protective order issued by a criminal court, or for civil harassment, workplace violence, or elder and dependent adult abuse be relinquished within 24 hours of the order being served on the restrained person. Requires that proof of relinquishment be filed with the court within 48 hours of service.	Judicial Council	Signed into law (Stats. 2006, ch. 474)
AB 2303 (Tracy Kenny, Dan Pone)	AB 2303 (Asm. Jud. Comm) – Civil omnibus: court operations As amended August 14, 2006 The Judicial Council sponsors the following provisions of this omnibus bill: clarifies the procedures governing a change of name; makes service times for elder abuse protective orders consistent with other protective orders; authorizes courts to receive notice to appear citations for non-parking Vehicle Code violations electronically if the court has the ability to receive the information and reproduce it in a printed form; and extends the sunset date on existing statutory authority for courts to impose modest monetary sanctions upon jurors who fail to respond to a jury summons.	Judicial Council	Signed into law (Stats. 2006, ch. 567)
SB 10 (Eraina Ortega)	SB 10 (Dunn) – Trial court facilities As amended August 30, 2006 Revises the Trial Court Facilities Act of 2002 to allow buildings with a seismic level V rating to transfer to the state so long as counties remain liable for earthquake-related damage, replacement, injury, and loss to the same extent that they would have been liable if the responsibility for court facilities had not transferred to the state. This liability will attach to the county until on or after the earliest of the following: 1) the seismic rating is improved; 2) the building no longer contains court facilities; 3) 35 years has passed from the date of transfer of the facilities; or 4) the county has complied with the conditions for relief from liability contained in an agreement, as specified.	Judicial Council	Signed into law (Stats. 2006, ch. 444)

Appendix
Status of 2006 Judicial Council-sponsored Legislation

Bill No. (Advocate)	Bill No. (Author) Description and Updates	Sponsor	Status As of November 14, 2006
SB 56 (Eraina Ortega, Tracy Kenny)	SB 56 (Dunn) – Trial courts: judgeships As amended August 29, 2006 Authorizes 50 additional judges based upon the uniform criteria and allocation approved by the Judicial Council pursuant to the Judicial Needs Study. Requires the Judicial Council to report to the Legislature biannually on the continuing need for new judgeships and their allocation based on the same uniform criteria.	Judicial Council	Signed into law (Stats. 2006, ch. 390)
SB 395 (Eraina Ortega)	SB 395 (Escutia) – California Court Facilities Bond Act of 2006 As amended May 31, 2005 Authorizes an unspecified amount in bonds for the acquisition and maintenance of court facilities.	Judicial Council	Dead
SB 528 (June Clark)	SB 528 (Ackerman) – Judges' retirement 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	Dead
SB 1187 (June Clark)	SB 1187 (Ackerman) – Judges' Retirement System II As amended June 8, 2006 Permits a judge in the Judges' Retirement System II who leaves judicial office after five or more years of service and is not eligible to retire to elect to receive the amount in his or her retirement account as an annuity. Would also require that, if a judge reenters service after electing to receive the amount in his or her retirement account as an annuity, the judges would reenter service as a new member of the Judges' Retirement System II without credit for any previous service, as specified.	Judicial Council	Dead