



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

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May 19, 2005

Hon. Joe Canciamilla
Member of the Assembly
State Capitol, Room 2141
Sacramento, California 95814

Subject: AB 1459 (Canciamilla), as amended May 18, 2005 – Support if amended.

Hearing: Assembly Appropriations Committee – May 25, 2005

Dear Assembly Member Canciamilla:

The Judicial Council supports AB 1459 which, among other things, would increase the jurisdiction in small claims court from \$5,000 to \$7,500, if the bill is amended as described below.

First, the Judicial Council supports raising the jurisdiction in small claims court, provided the increase is to \$7,500 rather than \$10,000 or higher, and the increase is limited to actions brought by natural persons, as specified in the current version of the bill. The council believes that this increase in jurisdiction strikes the appropriate balance of providing increased access to the courts for some individuals who are unable to secure legal counsel while at the same time not overwhelming the courts.

Second, the bill must be amended to specify that temporary judges hearing small claims cases be required to comply with training standards established by the Judicial Council rather than the Department of Consumer Affairs. Third, the provisions regarding increased funding for small claims advisors and law library fees must be made in conjunction with the council's Uniform Civil Fee proposal. Fourth, we are requesting an amendment to clarify that nothing in the bill may be construed to require the courts to provide interpreters in small claims or any other civil cases. Finally, the bill must provide an appropriation to backfill the loss in filing fee revenues in order to be revenue neutral.

Hon. Joe Canciamilla
May 19, 2005
Page 2

With the above amendments, the Judicial Council would support AB 1459. Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Daniel A. Pone".

Daniel A. Pone
Senior Attorney

DP/lb

cc: Karen Pank, Deputy Legislative Secretary, Office of the Governor
Sue Blake, Assistant Director of Legislation, Office of Planning and Research