



Judicial Council of California

ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS

770 L Street, Suite 700 • Sacramento, California 95814-3393
Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

RONALD M. GEORGE
Chief Justice of California
Chair of the Judicial Council

WILLIAM C. VICKREY
Administrative Director of the Courts

RONALD G. OVERHOLT
Chief Deputy Director

KATHLEEN T. HOWARD
Director, Office of Governmental Affairs

September 7, 2005

Hon. Arnold Schwarzenegger
Governor of California
State Capitol Building, First Floor
Sacramento, California 95814

Subject: SB 422 (Simitian) – Request for Signature

Dear Governor Schwarzenegger:

The Judicial Council requests your signature on SB 422, which, among other things, would increase the jurisdiction in small claims court from \$5,000 to \$7,500 for actions brought by natural persons. The council believes that this increase in jurisdiction is long overdue and will provide increased access to the courts for a number of individuals who are unable to secure legal counsel. Cases involving relatively small amounts in controversy are more appropriately brought in small claims court, which provides a more speedy and efficient forum for resolving such disputes. Moreover, inflation alone would appear to warrant the adjustment in the small claims jurisdictional amount since \$5,000 in 1991, which is the last time the jurisdiction was raised, equates to about \$7,152 today when adjusted for inflation using the California Consumer Price Index.

For all of these reasons, the Judicial Council respectfully requests your signature on SB 422.

Sincerely,

Daniel A. Pone
Senior Attorney

DP/lb

cc: Hon. Joe Simitian, Member of the Senate
Ms. Sue Blake, Assistant Director of Legislation, Office of Planning and Research
Ms. Karen Pank, Deputy Legislative Secretary, Office of the Governor



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August 29, 2005

Hon. Joe Simitian
Member of the Senate
State Capitol, Room 4062
Sacramento, California 95814

Subject: SB 422 (Simitian), as amended August 25, 2005 – Support

Dear Senator Simitian:

The Judicial Council supports SB 422 which, among other things, would increase the jurisdiction in small claims court from \$5,000 to \$7,500 for actions brought by natural persons. The council believes that this increase in jurisdiction is long overdue and will provide increased access to the courts for a number of individuals who are unable to secure legal counsel. Cases involving relatively small amounts in controversy are more appropriately brought in small claims court, which provides a more speedy and efficient forum for resolving such disputes. Moreover, inflation alone would appear to warrant the adjustment in the small claims jurisdictional amount since \$5,000 in 1991, which is the last time the jurisdiction was raised, equates to about \$7,152 today when adjusted for inflation using the California Consumer Price Index.

The Judicial Council appreciates your willingness to amend SB 422 to address various concerns we had raised with earlier versions of the bill. The amendments clarified the provisions regarding interpreters, as well as the training standards and court obligations for temporary judges who hear small claims cases. You also agreed to remove the provisions regarding filing fees that are no longer necessary as a result of the recent enactment of AB 145 (Stats 2005, Ch. 75), the council's Uniform Civil Fee (UCF) proposal. The UCF legislation helps mitigate the losses in revenue to the Trial Court Trust Fund which would result from the passage of this bill, and at the same time generates \$1.2 million in critical new funding for the small claims advisors program.

Hon. Joe Simitian
August 29, 2005
Page 2

For all of these reasons, the Judicial Council supports SB 422. Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, reading "Daniel A. Pone".

Daniel A. Pone
Senior Attorney

DP/lb

cc: Ms. Sue Blake, Assistant Director of Legislation, Office of Planning and Research
Ms. Alexandra Montgomery, Counsel, Senate Judiciary Committee
Ms. Karen Pank, Deputy Legislative Secretary, Office of the Governor
Mr. Mike Petersen, Consultant, Senate Republican Office of Policy



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Hon. Joe Simitian
August 29, 2005
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For all of these reasons, the Judicial Council supports SB 422. Please feel free to contact me if you have any questions.

Sincerely,

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Daniel A. Pone
Senior Attorney

DP/lb

cc: Ms. Sue Blake, Assistant Director of Legislation, Office of Planning and Research
Ms. Alexandra Montgomery, Counsel, Senate Judiciary Committee
Ms. Karen Pank, Deputy Legislative Secretary, Office of the Governor
Mr. Mike Petersen, Consultant, Senate Republican Office of Policy



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May 19, 2005

Hon. Carole Migden, Chair
Senate Appropriations Committee
State Capitol, Room 2059
Sacramento, California 95814

Subject: SB 422 (Simitian), as amended May 5, 2005 – Support if amended.
Hearing: Senate Appropriations Committee – May 26, 2005

Dear Senator Migden:

The Judicial Council supports SB 422 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. Carole Migden, Chair
May 19, 2005
Page 2

With the above amendments, the Judicial Council would support SB 422. Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan A Pone". The signature is fluid and cursive, with the first name "Dan" being more prominent than the last name "A Pone".

Daniel A. Pone
Senior Attorney

DP/lb

cc: Members, Senate Appropriations Committee
Hon. Joe Simitian, Member of the Senate
Lisa Matocq, Consultant, Senate Appropriations Committee
Alexandra Montgomery, Staff Counsel, Senate Judiciary Committee
Mike Petersen, Consultant, Senate Republican Office of Policy
Karen Pank, Deputy Legislative Secretary, Office of the Governor
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May 19, 2005

Hon. Joe Simitian
Member of the Senate
State Capitol, Room 4062
Sacramento, California 95814

Subject: SB 422 (Simitian), as amended May 5, 2005 – Support if amended.
Hearing: Senate Appropriations Committee – May 26, 2005

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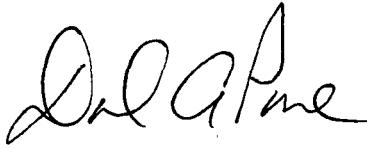
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May 19, 2005
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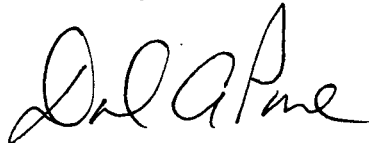
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May 19, 2005

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Senate Appropriations Committee
State Capitol, Room 2059
Sacramento, California 95814

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Hearing: Senate Appropriations Committee – May 26, 2005

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