



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

CURTIS L. CHILD

Director, Office of Governmental Affairs

April 16, 2010

Hon. Ellen Corbett, Chair
Senate Judiciary Committee
State Capitol, Room 5108
Sacramento, California 95814

Subject: Senate Bill 1417 (Cox), as amended, March 24, 2010 – Support, if amended
Hearing: Senate Judiciary Committee – April 20, 2010

Dear Senator Corbett:

The Judicial Council supports SB 1417, which modifies the process for formation of Societies for the Prevention of Cruelty to Animals and for the appointment of a humane officer. The bill will provide clearer processes and criteria for court determination of need for the society and the humane officer, giving courts the necessary tools to carry out this function in a meaningful way.

Over the years, trial courts have occasionally contacted the Administrative Office of the Courts with questions about the court's role in approving humane societies and the humane officers that they appoint. Current law does not provide courts much guidance about how to handle applications for endorsement of humane societies or confirmation of humane officer appointments. For example, it does not indicate whether courts should open a case file or require formal pleadings in connection with such applications. The law also is ambiguous in its description of the judge's role. Current law does not identify the criteria to be applied in making these decisions. Nor does it expressly empower the court to obtain, or direct the appointing entity to supply, information that would support such a decision. SB 1417 was introduced to address these and other issues.

Hon. Ellen Corbett

April 16, 2010

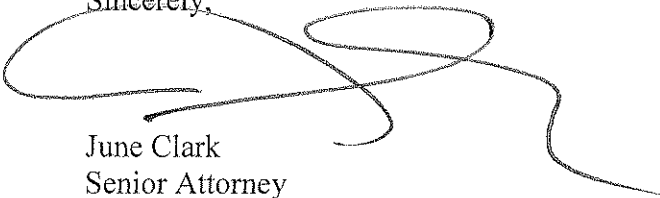
Page 2

While the preferred approach from the judicial branch perspective would be to transfer responsibility for endorsement of humane societies and appointment of humane officers to a county entity such as the board of supervisors or the county sheriff, any effort to move in that direction is apparently contrary to the co-sponsors interest in retaining the courts' neutral fact-finding role. If the courts cannot be removed from the process, the Judicial Council supports amending existing statutes governing the courts role to provide much-needed guidance for judicial officers.

Therefore, the council supports SB 1417 if it is amended to (1) create well-structured court processes for endorsement of a humane society and approval of the appointment of a humane officer; (2) provide clear criteria for a court to consider in making its determination; (3) require the petitioners to provide evidence of the need for the society or humane officer; and (4) delete the provisions requiring the court to oversee and receive compliance certificates regarding a humane officer's mandatory training and weapons qualifications. The co-sponsors of SB 1417 have committed to addressing all of our concerns.

For these reasons, the Judicial Council supports SB 1417, if amended.

Sincerely,

A handwritten signature in black ink, appearing to be "June Clark", written over a horizontal line.

June Clark
Senior Attorney

JC/ljb

cc: Members, Senate Judiciary Committee

Hon. Dave Cox, Member of the Senate

Ms. Saskia Kim, Chief Counsel, Senate Judiciary Committee

Mr. Aaron Maguire, Deputy Legislative Affairs Secretary, Office of the Governor

Ms. Kirsten Kolpitzke, Deputy Director of Legislation, Governor's Office of Planning and Research

Mr. Mike Petersen, Consultant, Senate Republican Office of Policy



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Director, Office of Governmental Affairs

April 16, 2010

Hon. Dave Cox
Member of the Senate
State Capitol, Room 2068
Sacramento, California 95814

Subject: Senate Bill 1417 (Cox), as amended, March 24, 2010 – Support, if amended
Hearing: Senate Judiciary Committee – April 20, 2010

Dear Senator Cox:

The Judicial Council supports SB 1417, which modifies the process for formation of Societies for the Prevention of Cruelty to Animals and for the appointment of a humane officer. The bill will provide clearer processes and criteria for court determination of need for the society and the humane officer, giving courts the necessary tools to carry out this function in a meaningful way.

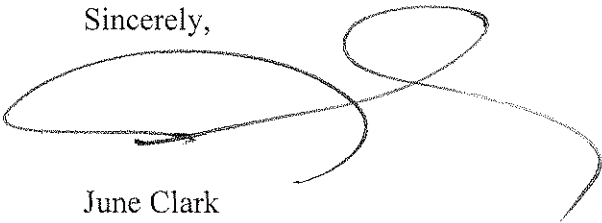
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While the preferred approach from the judicial branch perspective would be to transfer responsibility for endorsement of humane societies and appointment of humane officers to a county entity such as the board of supervisors or the county sheriff, any effort to move in that direction is apparently contrary to the co-sponsors interest in retaining the courts' neutral fact-finding role. If the courts cannot be removed from the process, the Judicial Council supports amending existing statutes governing the courts role to provide much-needed guidance for judicial officers.

Therefore, the council supports SB 1417 if it is amended to (1) create well-structured court processes for endorsement of a humane society and approval of the appointment of a humane officer; (2) provide clear criteria for a court to consider in making its determination; (3) require the petitioners to provide evidence of the need for the society or humane officer; and (4) delete the provisions requiring the court to oversee and receive compliance certificates regarding a humane officer's mandatory training and weapons qualifications. The co-sponsors of SB 1417 have committed to addressing all of our concerns.

For these reasons, the Judicial Council supports SB 1417, if amended.

Sincerely,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a long, sweeping horizontal stroke that ends in a small upward flick.

June Clark
Senior Attorney

JC/ljb

cc: Mr. Aaron Maguire, Deputy Legislative Affairs Secretary, Office of the Governor
Ms. Kirsten Kolpitke, Deputy Director of Legislation, Governor's Office of Planning and Research



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CURTIS L. CHILD
Director, Office of Governmental Affairs

May 12, 2010

Hon. Christine Kehoe, Chair
Senate Appropriations Committee
State Capitol, Room 2206
Sacramento, California 95814

Subject: SB 1417 (Cox), as amended April 28, 2010 – Fiscal Impact Statement
Hearing: Senate Appropriations Committee – May 17, 2010

Dear Senator Kehoe:

SB 1417 modifies the process for formation of Societies for the Prevention of Cruelty to Animals and for the appointment of a humane officer. The bill provides clearer processes and criteria for court determination of need for the society and the humane officer, thus providing courts the tools and procedures to carry out this responsibility.

Fiscal Impact

There are 50 to 75 humane officers in California, and a handful of humane societies. SB 1417 requires a more formal process for handling this small number of cases. However, any additional workload resulting from this measure is expected to be minor and a cost-effective alternative to improve the existing process.

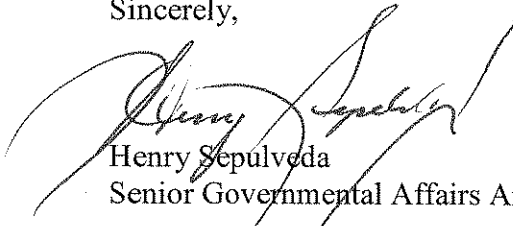
Please contact me at 916-323-3121 or henry.sepulveda@jud.ca.gov if you would like further information or have any questions about the fiscal impact of this legislation on the judicial branch.

Hon. Christine Kehoe

May 12, 2010

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Sincerely,

A handwritten signature in black ink, appearing to read "Henry Sepulveda", is written over the typed name and title.

Henry Sepulveda

Senior Governmental Affairs Analyst

HS/yt

cc: Hon. Dave Cox, Member of the Senate

Mr. Doug Yoakam, Legislative Director, Office of Senator Cox

Ms. Jacqueline Wong-Hernandez, Consultant, Senate Appropriations Committee

Mr. Matt Osterli, Fiscal Consultant, Senate Republican Fiscal Office

Ms. Teresa Calvert, Budget Analyst, Department of Finance



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Director, Office of Governmental Affairs

June 29, 2010

Hon. Felipe Fuentes, Chair
Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, California 95814

Subject: SB 1417 (Cox), as amended May 18, 2010 – Fiscal Impact Statement

Dear Assembly Member Fuentes:

SB 1417 modifies the process for formation of Societies for the Prevention of Cruelty to Animals and for the appointment of a humane officer. The bill provides clearer processes and criteria for court determination of need for the society and the humane officer, thus providing courts the tools and procedures to carry out this responsibility.

Fiscal Impact

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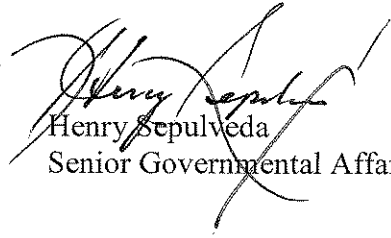
Please contact me at 916-323-3121 or henry.sepulveda@jud.ca.gov if you would like further information or have any questions about the fiscal impact of this legislation on the judicial branch.

Hon. Felipe Fuentes

June 29, 2010

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Sincerely,

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Henry Sepulveda

Senior Governmental Affairs Analyst

HS/yt

cc: Hon. Dave Cox, Member of the Senate

Mr. Doug Yoakam, Legislative Director, Office of Senator Cox

Mr. Chuck Nicol, Consultant, Assembly Appropriations Committee

Mr. Allan Cooper, Consultant, Assembly Republican Fiscal Office

Ms. Teresa Calvert, Budget Analyst, Department of Finance