



Judicial Council of California
ADMINISTRATIVE OFFICE OF THE COURTS

OFFICE OF GOVERNMENTAL AFFAIRS
770 L Street, Suite 1240 • Sacramento, California 95814-3368
Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

STEVEN JAHR
Administrative Director of the Courts

CORY T. JASPERSON
Director, Office of Governmental Affairs

July 17, 2014

Hon. Hannah-Beth Jackson
Member of the Senate
State Capitol, Room 2032
Sacramento, California 95814

Subject: SB 940 (Jackson), as amended June 11, 2014 - Support

Dear Senator Jackson:

The Judicial Council is pleased to support SB 940, which establishes provisions for interstate jurisdiction, transfer, and recognition of conservatorships by enacting the California Conservatorship Jurisdiction Act. Under current law, when families move from other states to California, conservatorships established in their home states must be re-litigated in our courts. Such re-litigation is costly and time-consuming, draining the resources of conservatees and their families, as well as the judicial system. By providing clear guidance on which state is the appropriate forum for the proposed conservatorship, the court will save time and money, and the parties will be able to avoid costly, duplicative conservatorship proceedings in multiple states.

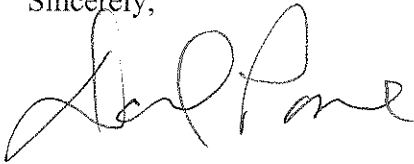
In addition, the bill's transfer provisions establish integrated procedures between California and the other states, which the Judicial Council believes will streamline and simplify a conservatorship between states while maintaining California's autonomy in determining whether to accept a transferred conservatorship. Moreover, the bill incorporates recommendations from the council's Probate and Mental Health Advisory Committee and Tribal Court/State Court Forum regarding separate permissive jurisdictional provisions for an Indian tribe with jurisdiction over these cases. This deference, which includes similar considerations for the court in determining the appropriate forum for the conservatorship, allows a California court to

Hon. Hannah-Beth Jackson
July 17, 2014
Page 2

consider whether an in-state or an out-of-state tribal court would be the most appropriate forum and avoid complicated issues regarding the tribal court and state court concurrent jurisdiction.

For all of these reasons, the Judicial Council supports SB 940.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Pone", written in a cursive style.

Daniel Pone
Senior Attorney

DP/nco

cc: Barbara S. Gaal, Chief Deputy Counsel, California Law Revision Commission
Ms. June Clark, Deputy Legislative Secretary, Office of the Governor
Ms. Leora Gershenzon, Counsel, Assembly Judiciary Committee
Mr. Mike Petersen, Policy Consultant, Senate Republican Office of Policy
Mr. Paul Dress, Consultant, Assembly Republican Office of Policy
Ms. Tara Welch, Deputy Chief Counsel, Senate Judiciary Committee



JUDICIAL COUNCIL OF CALIFORNIA

GOVERNMENTAL AFFAIRS

770 L Street, Suite 1240 • Sacramento, California 95814-3368
Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

TANI G. CANTIL-SAKAU
Chief Justice of California
Chair of the Judicial Council

STEVEN JAHR
Administrative Director

CORY T. JASPERSON
Director, Governmental Affairs

August 14, 2014

Hon. Edmund G. Brown, Jr.
Governor of California
State Capitol, First Floor
Sacramento, California 95814

Subject: SB 940 (Jackson) – Request for Signature

Dear Governor Brown:

The Judicial Council is pleased to support SB 940, which establishes provisions for interstate jurisdiction, transfer, and recognition of conservatorships by enacting the California Conservatorship Jurisdiction Act. Under current law, when families move from other states to California, conservatorships established in their home states must be re-litigated in our courts. Such re-litigation is costly and time-consuming, draining the resources of conservatees and their families, as well as the judicial system. By providing clear guidance on which state is the appropriate forum for the proposed conservatorship, the court will save time and money, and the parties will be able to avoid costly, duplicative conservatorship proceedings in multiple states.

In addition, the bill's transfer provisions establish integrated procedures between California and the other states, which the Judicial Council believes will streamline and simplify a conservatorship between states while maintaining California's autonomy in determining whether to accept a transferred conservatorship. Moreover, the bill incorporates recommendations from the council's Probate and Mental Health Advisory Committee and Tribal Court/State Court Forum regarding separate permissive jurisdictional provisions for an Indian tribe with jurisdiction over these cases. This deference, which includes similar considerations for the court

Hon. Edmund G. Brown, Jr.

August 14, 2014

Page 2

in determining the appropriate forum for the conservatorship, allows a California court to consider whether an in-state or an out-of-state tribal court would be the most appropriate forum and avoid complicated issues regarding the tribal court and state court concurrent jurisdiction.

For these reasons, the Judicial Council requests your signature on SB 940.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Pone", written in a cursive style.

Daniel Pone
Senior Attorney

DP/nco

cc: Hon. Hannah-Beth Jackson, Member of the Senate

Ms. Barbara S. Gaal, Chief Deputy Counsel, California Law Revision Commission

Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor

Ms. Tara Welch, Deputy Chief Counsel, Senate Judiciary Committee