



# The Capitol Connection

ADMINISTRATIVE OFFICE OF THE COURTS • OFFICE OF GOVERNMENTAL AFFAIRS

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## Legislative Calendar

**May 2**  
Last day for policy committees to hear nonfiscal bills

**May 16**  
Last day for policy committees to meet prior to June 2

## COURTS PREPARED TO SHARE IN BUDGET CUTS, CHIEF JUSTICE TELLS LEGISLATURE

The reality of the state's looming fiscal crisis was the backdrop for the 13th State of the Judiciary Address delivered by Chief Justice Ronald M. George to a joint session of the California Legislature on March 25 at the State Capitol. Over 100 Bench-Bar Coalition (BBC) members joined members of the Supreme Court, and the Judicial Council, advisory committee chairs, and AOC leadership for the annual speech, which focused on maintaining the integrity of California's justice system in the face of imminent statewide budget cuts.

Chief Justice George assured Senate President pro tempore Don Perata, Assembly Speaker Fabian Núñez, and assembled legislators that

the "judicial system understands its obligation to contribute to the solution" and that efforts were already underway in the branch to assess and implement cost-saving measures. George emphasized that, notwithstanding those measures, the judicial, legislative and executive branches must work cooperatively to ensure that the nation's largest judicial system has the necessary resources to serve Californians.

"The State of the Judiciary address was obviously a highlight, but also helpful was that the Chief Justice's points made in his speech amplified the points we made to our legislators," in visits the following day, said David Torres, president of the Kern County



Chief Justice Ronald M. George is greeted by Assembly Speaker-elect Karen Bass as he enters the Assembly Chambers for the State of the Judiciary address as Bench-Bar Coalition members watch from the Gallery. (Photo courtesy of Russell Stiger/DeAne Westbrook)

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## LEGISLATION INTRODUCED TO IMPROVE CALIFORNIA'S COURTHOUSES

Many buildings that house California's courts are in a dangerous state of disrepair. There is inadequate assembly space, courtrooms and deliberation rooms; limited access for the disabled; inadequate separation of victims, defendants, and families in criminal cases; and unsecure hallways to prevent jurors from coming in contact with parties. Moreover, inadequate security places children, jurors, witnesses, litigants, visitors, and court employees at personal risk.

In 2001, a Task Force on Court Facilities identified critical

physical deficiencies in courthouses throughout the state and recommended a construction program to improve or replace these courthouses. To date, fifteen appellate and trial court capital outlay projects with the most urgent needs for improvement have received full or partial funding from the State Court Facilities Construction Fund, the state General fund, or a combination of these funds. However, 166 projects remain unfunded, 35 of which are identified as "immediate need."

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# JUDICIAL COUNCIL-SPONSORED LEGISLATION

## JUDICIAL OFFICERS

### Senate Bill 1150 (Corbett)—Courts: judgeships.

The Judicial Council is sponsoring legislation to authorize the third set of new superior court judgeships. SB 56 of 2006 secured the first 50 judgeships, (Stats. 2006, ch. 390) and Assembly Bill 159 (Stats. 2007, ch. 722) secured the second set. SB 1150 by Senator Ellen Corbett seeks authority for the third set of 50 judgeships to be allocated pursuant to the methodology and in the manner approved by the Judicial Council in February 2007. For more information, contact Donna Hershkowitz at [donna.hershkowitz@jud.ca.gov](mailto:donna.hershkowitz@jud.ca.gov) or (916) 323-3121.

## COURT FACILITIES

Two bills are currently pending in the Legislature addressing court facilities.

### Assembly Bill 1491 (Jones)—Court Facilities.

Extends the now-expired statutory deadline for the transfer of court facilities from counties to the state until December 31, 2009. To expedite facility transfers and ensure a joint continuing dedication to the transfer process, the bill imposes a tiered payment structure for facilities that transfer after certain dates, but before the final deadline. This bill was signed into law on April 23, and as an urgency measure, took effect on that date. For more information, contact Donna Hershkowitz at [donna.hershkowitz@jud.ca.gov](mailto:donna.hershkowitz@jud.ca.gov) or (916) 323-3121.

### AB 3052 (Committee on Judiciary)—Court facilities.

The Judicial Council is sponsoring Assembly Bill 3052 by the Assembly

Judiciary Committee to standardize the process for evaluating the potential benefit of utilizing Performance Based Infrastructure (PBI) as an alternative delivery method for courthouse construction. The bill requires the development performance expectations and benchmarks for evaluating a proposed PBI project, prior to submittal to the Department of Finance and the Legislature. AB 3052 received unanimous support as it was voted out of Assembly Judiciary, and will next be heard in the Assembly Appropriations Committee. For more information, contact Janus Norman at [janus.norman@jud.ca.gov](mailto:janus.norman@jud.ca.gov) or (916) 323-3121.

## COURT FUNDING/OPERATIONS

### Assembly Bill 1876 (de León)—Superior court security.

Co-sponsored by the Judicial Council and the California State Sheriffs' Association, AB 1876 will improve the accountability of court security services in the trial courts. Intended to address current funding deficiencies and bring courts up to the court security funding standard, adopt qualitative service standards, and adopt a structure for appropriate security cost containment and accountability, the current version of the bill makes the first step, requiring a standardized MOU for contracting of security services between the court and the sheriff, and requiring quarterly reporting to the court and the Administrative Office of the Courts of security services and expenditures. The bill was approved by the Assembly Judiciary Committee on April 15, 2008, and is now pending in the Assembly Appropriations Committee. For more information, contact Henry Sepulveda at

[henry.sepulveda@jud.ca.gov](mailto:henry.sepulveda@jud.ca.gov) or (916) 323-3121.

### Assembly Bill 1949 (Evans)—Court operations.

Makes several technical and clarifying changes to improve court operations. The bill updates the law on trial preferences to remove obsolete references, and provides additional time for the processing of local court rules. AB 1949 clarifies the definition of a subordinate judicial officer (SJO) and the law governing SJO relocation costs. The bill clarifies the law pertaining to the payment of civil jury fees and jury deposits by governmental entities. AB 1949 also shifts the revenues from the night/weekend session assessment from the county treasury to the State Court Facilities Trust Fund in an amount proportional to the counties' shift of court facilities to state responsibility. For more information, contact Franz Braun at [franz.braun-t@jud.ca.gov](mailto:franz.braun-t@jud.ca.gov) or (916) 323-3121.

## CIVIL & SMALL CLAIMS

### Assembly Bill 1873 (Lieu)—Small claims court.

Increases access to justice for litigants by authorizing the court to allow a party or witness in a small claims action to appear by telephone. Provides that the costs of appearing by telephone are non-recoverable. Clarifies the law governing post-judgment and postponement fees in small claims court. For more information, contact Daniel Pone at [daniel.pone@jud.ca.gov](mailto:daniel.pone@jud.ca.gov) or (916) 323-3121.

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# LEGISLATIVE REVIEW

The following is an update on selected bills of interest to the courts in the second year of the 2007-2008 legislative session.

## CIVIL & SMALL CLAIMS

**AB 2193 (Tran), as introduced. Civil discovery: out-of-state proceedings.**

Among other things, establishes a process for obtaining a subpoena, which would require paying a fee (to be deposited in the Trial Court Trust Fund) and submitting the subpoena issued by the out-of-state court with a specified application. Creates a process for the resolution of a dispute regarding discovery conducted in California in connection with an out-of-state proceeding, and provides that a request for relief in this regard would be filed in the superior court in which the discovery is sought, with payment of specified fees.

**Status:** Senate Rules

**JC Position:** Support.

**AB 2846 (Feuer), as introduced. Common interest developments: assessments.**

Provides, among other things, that if a dispute exists between the owner of a separate interest and a homeowners' association regarding assessments imposed by the association, and the amount in dispute does not exceed the jurisdictional limits of the small claims court, the owner of the separate interest may either request alternative dispute resolution as specified in the Davis-Stirling Common Interest Development Act or pay the disputed amount under protest and commence action in small claims court.

**Status:** Assembly Housing & Community Development Committee

**JC Position:** Support.

**SB 1432 (Margett), as introduced. Contractors: small claims.**

Among other things, increases the jurisdiction of the small claims court from \$4,000 to \$7,500 for any action brought by a natural person against a defendant guarantor that charges a fee for its guarantor or surety services.

**Status:** Senate Business, Professions & Economic Development Committee

**JC Position:** Support.

## COURT EMPLOYEES

**AB 1726 (Judiciary Committee), as introduced. Evidence: court interpreters.**

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 a priority order for when an interpreter will be provided if there are insufficient interpreters or funding available. Limits funding provided for this purpose to \$10 million.

**Status:** Died.

**JC position:** Support in concept contingent on funding and workability.

**AB 3050 (Judiciary Committee), as introduced. Civil Interpreting.**

Requires the Judicial Council to conduct a pilot project to provide

interpreters in civil proceedings. Requires the Judicial Council to submit a report to the Legislature and Governor by March 1, 2011 regarding the impacts of mandating civil interpreting in the pilot courts. Provides a \$10 filing fee increase to fund additional cost.

**Status:** Assembly Appropriations Committee

**JC Position:** Support in concept, if funded.

**SB 431 (Aanestad & Wiggins), Stats. 2007, ch. 256. Public employees' retirement: Butte and Solano counties.**

Requires the Board of Administration of the Public Employees' Retirement System for the Counties of Butte and Solano to prepare a separate computation of the assets and liabilities of the trial court and each county. Establishes January 1, 2001, as the date for which the court is responsible, as an employer, for the assets and liabilities of its employees.

**Status:** Chaptered.

**JC position:** Support.

## COURT REPORTERS

**AB 582 (Evans), as amended June 1, 2007. Court transcription fees.**

Increases the fee for the original and copies of court reporter transcripts for three consecutive years, and then increases the fee annually by the Consumer Price Index for All Urban Consumers. Expands the 50 percent additional charge for daily copy service to criminal transcripts. Requires the Administrative Office of the Courts to publish an updated transcript fee scheduled based on the increases tied to the CPI. Specifies a uniform format for all court

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# STATE BUDGET SHORTFALL IMPACTS JUDGESHIPS, COURT OPERATIONS

On January 10, 2008, the Governor declared a state of fiscal emergency pursuant to Proposition 58. At the time, California faced a current year General Fund shortfall of \$3.3 billion and a budget year General Fund shortfall of \$14.5 billion. As part of the declaration of emergency, the Governor called the Legislature into a special session, in which they had 45 days to respond to more than 900 pages of budgetary solutions.

The Governor's solutions, or Budget-Balancing Reductions, called for a 10 percent cut to the Judicial Branch for the 2008-2009 fiscal year. In February, AOC staff testified before the Assembly Budget Subcommittee, noting that the Governor's proposed reduction would adversely impact fundamental elements of our justice system, including the right to have civil cases heard without substantial delays, the right of indigent persons to be represented by counsel on appeal in capital and other criminal cases, and safety of the public in our courts.

During the special session, the Legislature adopted budgetary solutions that transferred the projected current year shortfall into a reserve of over \$1 billion. Their actions also reduced the budget year shortfall from \$14.5 billion to approximately \$8 billion. However, the actions of the

Legislature impacted trial court operations by delaying the funding of new trial court judgeships by 12 months, resulting in \$54 million in General Fund savings.

Moving forward, the 2008-2009 Budget Act proposed by the Governor on January 10 maintains \$126 million in funding for the trial courts pursuant to the State Appropriations Limit; \$17 million in funding to implement the Omnibus Conservatorship and Guardianship Reform Act of 2006; and \$6 million for continued implementation of the Phoenix Project that will deliver a statewide financial and human resource system.

In April, the AOC will provide further testimony to the Senate and Assembly budget subcommittees regarding the judicial branch impacts of the Governor's budget. On May 14, 2008, the Governor will update his January 10th budget proposal to reflect revised revenue projections. All indicators suggest the Governor's revised revenue estimates will be less than the estimates published in January. The AOC will continue to work with the Governor and the Legislature to minimize the adverse impacts on the justice system and the people of California who rely on it. ■

## LEGISLATIVE REVIEW

*(Continued from page 3)*

transcripts, and increases access to the Transcript Reimbursement Fund (TRF) for indigent pro per litigants.

**Status:** Senate Judiciary Committee.

**JC position:** Oppose unless funded outside SAL; support uniform format if amended; oppose unless amended to provide sufficient access to TRF to low-income litigants.

### CRIMINAL LAW & PROCEDURE

**AB 1660 (La Malfa), as amended June 6, 2007. Victims' rights: presence during criminal proceedings.**

Provides that after a victim has testified in a criminal proceeding, the victim or his or her designee has a

right to be present at any subsequent proceedings, except as specified.

**Status:** Senate Public Safety Committee

**JC position:** Oppose.

**AB 1771 (Ma), as amended March 10, 2008. Domestic violence: convictions.**

Provides that "good cause" to issue a domestic violence restraining order may be found based on evidence that the person against whom the order is to be issued has a prior domestic violence conviction. Requires the Attorney General to develop an Internet Website containing information about persons who have been convicted of at least one felony domestic

violence offense or at least two misdemeanor domestic violence offenses. Requires the court to provide, upon request and without charge, any information regarding a domestic violence conviction that is currently available to the public, except that any personal identifying information about the victim shall be redacted prior to being provided to the requester.

**Status:** Assembly Appropriations Committee

**JC Position:** Oppose unless amended.

**AB 1955 (Plescia), as introduced. Criminal actions: pretrial informa-**

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# Office of Governmental Affairs Advocacy Contacts

OGA’s mission is to promote and maintain effective relations between California’s judicial branch and the legislative and executive branches of state government and to present the Judicial Council’s recommendations on legislative matters affecting the courts. Each year, OGA advocates are involved with over 500 bills on a variety of court-related subject matters. For information or questions on legislation in specific subject areas, please contact the assigned OGA staff member at 916-323-3121. An overview of OGA’s activities can be found on the Web at [www.courtinfo.ca.gov/courtadmin/aoc/oga.htm](http://www.courtinfo.ca.gov/courtadmin/aoc/oga.htm).

**PROGRAM**

**CONTACT**

General Advocacy .....	Curtis Child, Donna Hershkowitz
Judicial Council-Sponsored Legislation .....	Curtis Child, Donna Hershkowitz
Access to Justice/Self-Represented Litigants.....	Tracy Kenny
Appellate Law .....	June Clark, Tracy Kenny, Daniel Pone
Bench-Bar Coalition .....	Dia Poole
Budget .....	Janus Norman
Capitol Connection.....	Dia Poole
Civil Procedure .....	Daniel Pone
Communications Liaison .....	Dia Poole
Court Facilities .....	Janus Norman
Court Interpreters .....	Janus Norman
Court Reporters.....	Donna Hershkowitz
Court Security .....	Henry Sepulveda, Donna Hershkowitz
Criminal Procedure .....	June Clark
Day on the Bench .....	Dia Poole
Employment Issues (trial court labor, court staff retirement) .....	Janus Norman
Family Law .....	Tracy Kenny
Fiscal Impact of Legislation .....	Henry Sepulveda
Judgeships and Subordinate Judicial Officers .....	Donna Hershkowitz
Judicial Education .....	Tracy Kenny
Judicial Elections.....	June Clark
Judicial Compensation and Retirement ....	Tracy Kenny, Donna Hershkowitz
Jury Issues .....	June Clark
Juvenile Law .....	Tracy Kenny
Probate and Mental Health .....	Daniel Pone
Redistricting/Reapportionment.....	June Clark
State Bar/Practice of Law .....	Daniel Pone
Traffic Law .....	June Clark

## LEGISLATIVE REVIEW

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**tion: domestic violence restraining orders.**

Allows a judge to read or consider any written report of a law enforcement officer or witness, or other information or affidavit, after a complaint or accusatory pleading is filed but before a plea, finding, or verdict is made, without the defendant's consent, when considering whether to issue a domestic violence restraining order or the parameters of such a restraining order.

**Status:** Assembly Public Safety Committee

**AB 2166 (Tran), as introduced. Bail forfeiture: appeals.**

Clarifies appellate jurisdiction in bail forfeiture proceedings to allocate these cases between the Courts of Appeal and the Superior Court Appellate Divisions, the same way they were allocated before unification of the municipal and superior courts.

**Status:** Assembly Public Safety Committee

**JC Position:** Support.

**AB 2609 (Davis), as introduced. Vandalism: penalties: community service.**

Requires rather than permits a court to order defendants convicted of vandalism to clean up, repair, and replace the damaged property or keep the damaged property or another in the community free of graffiti for up to one year.

**Status:** Assembly Appropriations Committee

**JC Position:** Oppose unless amended to allow exceptions when appropriate.

**SB 1342 (Cogdill), as introduced. Sentencing.**

Eliminates the sunset on provisions enacted last year in response to *Cunningham v. State of California* (2007), 127 S. Ct. 856, authorizing the choice of the appropriate sentencing term to rest "within the sound discretion of the court." Also authorizes the choice of sentencing enhancements consisting of a triad of terms to rest within the sound discretion of the court.

**Status:** Senate Public Safety Committee

**SB 1356 (Yee), as introduced. Contempt: victim of domestic violence.**

Extends existing law applicable to victims of sexual assault to victims of domestic violence by prohibiting the incarceration of a domestic violence victim witness for contempt when contempt consists of refusing to testify concerning the violence.

**Status:** Assembly Desk

**SB 1651 (Steinberg), as introduced. Mentally ill offenders.**

Authorizes superior courts to develop and implement mental health courts.

**Status:** Senate Appropriations Committee

**SB 1701 (Romero), as amended March 27, 2008. Sentencing.**

Extends until January 1, 2011, the sunset on provisions enacted last year in response to *Cunningham v. State of California* (2007) 127 S. Ct. 856, authorizing the choice of the appropriate sentencing term to rest "within the sound discretion of the court."

**Status:** Senate Appropriations Suspense File

### FACILITIES

**SB 1407 (Perata), as introduced.**

**Court facilities: financing.**

States legislative intent to authorize bond financing of improvements and new construction of court facilities. Amendments pending that would permit issuance of \$5 billion in lease-revenue bonds to fund a major capital outlay program for court facilities.

**Status:** Senate Rules Committee

### JURIES

**AB 1769 (Galgiani), as amended March 25, 2008. Jury service: peace officer exemption.**

Exempts community college and school district police from jury duty in criminal matters.

**Status:** Senate Rules

**JC Position:** Oppose.

**AB 1828 (Huff), as introduced. Jury service: precinct workers.**

Excuses from jury service, upon request, a prospective juror who has served as a precinct officer or precinct board member on a statewide or local election during the previous 12 months.

**Status:** Assembly Judiciary Committee

**JC Position:** Oppose.

### JUVENILE DEPENDENCY

**AB 2117 (Evans), as amended March 28, 2008. Foster youth: psychotropic medication.**

Expands the authority of the court to approve dispensing of psychotropic medications to children who have been detained but not found to be dependent children. Requires that the physician requesting the medication to have examined the child and requires that the court make a find-

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## LEGISLATIVE REVIEW

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ing that the child and the child's caregiver have been informed of the expected results of the medication, significant side effects, and any other recommended treatments, and that the child has been informed of the right to request a hearing. Requires that a child be present at a hearing unless the child waives that right after consulting with counsel, or the court finds good cause for the child's absence.

**Status:** Assembly Appropriations Suspense File

**AB 3051 (Committee on Judiciary), as amended March 24, 2008. Family Law: court appearances.**

Requires a juvenile dependency court to allow a child who is the subject of a proceeding and is present in court to address the court and participate in the hearing. Requires the court to determine whether a child 10 or older who is not present was given an opportunity to attend, and if the child wished to be present, requires the court to continue hearing for the period necessary to secure the attendance of the child, unless the court finds that it is not in the best interest of the child to continue the hearing. Also provides that the court may make any orders necessary to ensure that the child has an opportunity to attend.

**Status:** Senate Rules

**JC Position:** Support.

### MISCELLANEOUS

**AB 2544 (Mullin), as introduced. Model civic education staff development program.**

Requires the Superintendent of Public Instruction to develop a plan and make recommendations to the Legislature and the Governor on the de-

velopment of a model civic education staff development program. AB 2544 provides formal instruction in government, history, law, and democracy for the purpose of increasing civic knowledge, and incorporating and discussing current local, national, and international issues and events in the classroom.

**Status:** Assembly Appropriations Suspense File

**JC Position:** Support.

### PROBATE

**AB 1340 (Jones), as amended January 10, 2008. Guardians and conservators: accountings.**

Requires a guardian or conservator, in a first accounting filed with the court, to provide all account statements showing the account as of, rather than through, the closing date of the first court accounting.

**Status:** Senate Judiciary Committee

**JC position:** Support.

**AB 1880 (Tran), as amended March 11, 2008. Guardians and conservators: bonds.**

Requires a guardian or conservator to post a separate recovery bond for the benefit of the ward or conservatee and any person interested in the guardianship or conservatorship estate who may bring a surcharge action against the guardian or conservator for breach of duty. Requires the recovery bond to be given by an admitted insurer for the recovery of reasonable attorney's fees and costs as approved by a court in a successful surcharge action. Provides that these fees and costs shall be recovered against the surety on the recovery bond only, and not against the guardian's or conservator's bond. Provides that, unless the court increases or decreases the amount upon

a showing of a good cause, the amount of the bond shall be calculated as provided in rule 7.207 of the California Rules of Court. Declares that this bill is to take effect immediately as an urgency statute.

**Status:** Assembly Judiciary Committee

**JC Position:** Oppose.

**SB 800 (Corbett), as amended March 29, 2007. Conservators and guardians: care plans.**

Requires a conservator or guardian to submit to the court within 90 days of appointment a plan for the care, custody, control, and, if applicable, the education of the ward or conservatee. As part of this plan, the bill would require an assessment of the strengths of the conservatee's or ward's family, an assessment of appropriate residential placement, and a schedule of visits between the ward or conservatee and the conservator or guardian, as well as visits between the ward or conservatee and his or her family. Requires the Judicial Council to develop an implementing form.

**Status:** Assembly Appropriations Suspense File

**JC position:** Support in concept.

### TRAFFIC

**AB 1258 (Caballero), as introduced. Highways: Safety Enhancement Double Fine Zones.**

Designates a segment of State Highway Route 101 and a segment of Country Road 16 in Monterey County as Safety Enhancement-Double Fine Zones.

**Status:** Died.

**JC position:** Oppose.

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## STATE OF THE JUDICIARY, BENCH-BAR COALITION

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Bar Association in Bakersfield.

The afternoon address followed a full day of training and briefings for BBC members on the critical need for court facilities and security improvements, additional judgeships, and other judicial branch legislative priorities. Following the speech on Wednesday, March 26, BBC members visited over 100 legislators and staff to deliver these messages. The BBC held its first continuing legal education training session on legislative advocacy targeting new BBC members – the first such session offered in conjunction with a State of the Judiciary/BBC Day in Sacramento event. AOC Office of Governmental Affairs Director Curtis Child and California State Bar Director of Governmental Affairs Anthony Williams provided an overview of the judicial branch and its roles and relationships with the executive and legislative branches.



Superior Court of Los Angeles County Judge and former state Assembly Member Terry Friedman (right) discusses the State of Judiciary address with Chief Justice Ronald M. George at the Judicial-Legislative-Executive Forum in the State Capitol Rotunda as OGA Attorney Tracy Kenny and Judicial Council member Hon. Peter Espinoza look on. (Photo courtesy of Russell Stiger/DeAne Westbrook)

“I suspect that I took away more than I gave the first time, but I’m looking forward to participating for at least the next two years of my term on the State Bar Board of Governors,” commented Paul Kramer, a first-time BBC participant.

Judge Terry Friedman, a former state Assembly Member and current judge of the Superior Court of Los Angeles County, partnered with Kathryn Dresslar, chief of staff to State Senator Darrell Steinberg, to discuss principles of effective advocacy and how bench and bar members could “connect” with legislators and staff – as practitioners and as constituents. Dia Poole, Office of Governmental Affairs BBC Liaison concluded the ninety-minute training with an overview of available resources for conducting legislative outreach.

The training session was followed by briefings on court facilities and court security issues, during which BBC members discussed key messages for the “Day in

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## LEGISLATIVE REVIEW

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**SB 1388 (Torlakson), as amended March 24, 2008. Vehicles: DUI: ignition interlock.**

Requires DMV rather than the courts, upon notice of conviction, to inform a person convicted of driving on a DUI-related suspended license of ignition interlock requirements. Requires DMV to advise the court if a person has failed to show proof within 30 days of DMV notifying the person he or she is required to install an interlock device.

**Status:** Senate Appropriations Committee ■

## JUDICIAL COUNCIL-SPONSORED LEGISLATION

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**FEES, FINES, AND PENALTIES**

**Assembly Bill 1826 (Beall)—Seized property: fees.**

Clarifies that the filing fee is \$320 for filing an action seeking return of seized property in connection with controlled substance offenses or domestic violence cases. *For more information, contact Henry Sepulveda at [henry.sepulveda@jud.ca.gov](mailto:henry.sepulveda@jud.ca.gov) or (916) 323-3121.*

**MISCELLANEOUS**

**Assembly Bill 2448 (Feuer)—Courts: access to justice.**

Revises and redrafts the existing statute governing court fee waivers to

ensure that indigent litigants have an opportunity to access the courts in a timely manner, and to provide for recovery of those fees in appropriate cases. Requires that waived fees be added to most judgments in favor of a fee waiver recipient. Places a lien on settlement proceeds of \$10,000 or more if the party receiving the settlement obtained a fee waiver. Adds specified public benefit programs to the existing list that entitles a party to an automatic fee waiver. *For more information, contact Tracy Kenny at [tracy.kenny@jud.ca.gov](mailto:tracy.kenny@jud.ca.gov) or (916) 323-3121.* ■



## STATE OF THE JUDICIARY, BENCH-BAR COALITION

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Sacramento” legislative visits that followed on March 26. OGA Assistant Director Donna Hershkowitz and Michael Roddy, Executive Officer of the Superior Court of San Diego County, recapped legislative proposals on court security. In a concurrent session, AOC Office of Court Construction and Management Director Kim Davis and Senior Planning Manager Kelly Popejoy joined Curt Child to bring participants up to speed on legislative efforts to transfer courthouses to state responsibility and to secure funding for new capital projects and improvements to existing courthouses.

BBC members, grouped in regional teams based on where they reside and practice, continued discussions and developed strategies for the Wednesday legislative visits over dinner later that evening. “It is a real benefit to have the bench and bar together – not only for calling on legislators, but it gives members of the bench and bar in attendance a chance to talk informally,” added Judge Robert Oliver of the Superior Court of Fresno County.



State Senator Dean Florez met with the Central Valley BBC delegation (l-r) Judge Brian McCabe of Merced, Chris Schneider of Fresno, John Peterson of Fresno, Florez, David Torres of Bakersfield, and Juan Ramirez of Fresno. (Photo courtesy of Russell Stiger/DeAne Westbrook)

Cosponsored by the State Bar of California, the two days of activities welcomed 26 first-time minority, women, specialty, and small bar leaders from throughout the state as part of the BBC’s efforts to increase awareness of judicial branch



David Lynch, Capitol Director for Assembly Member. Sharon Runner discusses Inland Empire legislative priorities with (l) BBC members Enrique Acuna, executive director of the Inland Empire Latino Lawyers Association, and (r) Judge Harold Hopp of Superior Court of Riverside County. (Photo courtesy of Russell Stiger/DeAne Westbrook)

issues within the justice community and to ensure that legislators and staff heard perspectives from a wider, more diverse coalition membership.

“I was very impressed at the dynamic nature of this event. It gave new meaning to the Bench-Bar-Legislative relationship,” said Diane Wiesmann, Riverside County director of the Association of Southern California Defense Counsel. “I enjoyed being a part of the process.”

The BBC typically returns to the Capitol in late spring following release of the May revisions to the Governor’s Budget. For more information on the BBC, contact Dia Poole at [dia.poole@jud.ca.gov](mailto:dia.poole@jud.ca.gov) or by calling 916-323-3121. To read the full text of the Chief Justice’s remarks, please visit the California Courts’ Web site at <http://www.courtinfo.ca.gov/reference/soj032508.htm>. ■

## SB 1407—COURTHOUSES BOND

(Continued from page 1)

Senate President Pro Tem Perata has introduced SB 1407 to authorize the issuance of \$5 billion in revenue bonds to address some of the most urgent needs for courthouse construction and renovation. Currently a “spot” bill, it is the author’s intent to authorize the issuance of lease-revenue bonds for the construction and repair of approximately 35 capital projects. OGA staff is working with the Senator to develop language to amend into the bill that would authorize the issuance of the bonds and to spell out the sources of revenue that would support the

debt service on the bond.

It is anticipated that SB 1407 will be amended no later than the end of April 2008. In addition to the language described above, the amendments will declare the urgency of addressing this issue and make the measure effective upon signing by the Governor. SB 1407 will be heard in the Senate Judiciary and Public Safety committees in May.

Watch for more news on SB 1407 in future issues of *The Capitol Connection*. ■



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**Archives**

Looking for a past issue of *The Capitol Connection*? Find it online at [www.courtinfo.ca.gov/courtadmin/aoc/capconn.htm](http://www.courtinfo.ca.gov/courtadmin/aoc/capconn.htm).

## OGA BIDS FAREWELL TO ERAINA ORTEGA

Eraina Ortega, Manager with the Office of Governmental Affairs, departed in January after six and one-half years with the AOC.

During her stay with OGA, she had primary responsibility for such complex issues as the judicial branch budget, court facilities, court interpreters, and labor and employment.

Eraina is embarking on a new opportunity with the California State Association of Counties, where she will be a legislative representative handling employee relations and human resources issues. At a luncheon with OGA staff, Eraina expressed her appreciation to everyone at the AOC who made the decision to pursue a change of direction a difficult one. Adieu, Eraina! ■



## JANUS NORMAN JOINS OGA



On March 3, Janus Norman joined OGA as a Senior Governmental Affairs Analyst. Janus brings with him over four years experience as a senior consultant with the Assembly Budget Committee where he was responsible for the judicial branch budget as well as several other subject areas. Prior to joining the budget committee, Janus served as a Senior Consultant to then-Assembly Member Darrell Steinberg where he had begun his capital career as a Jesse M. Unruh Assembly Fellow in 2002. His new advocacy responsibilities with OGA

will include the judicial branch budget, court facilities, court interpreters, and labor and employment issues. Welcome, Janus! ■

## News from the AOC

In addition to *The Capitol Connection*, the Administrative Office of the Courts publishes several publications reporting on various aspects of court business. Visit these online on the California Courts Web site at [www.courtinfo.ca.gov](http://www.courtinfo.ca.gov)

*California Courts Review* is a quarterly magazine by, for, and about the state judicial branch. See the current edition at <http://www.courtinfo.ca.gov/reference/ccr.htm>

