



The Capitol Connection

ADMINISTRATIVE OFFICE OF THE COURTS • OFFICE OF GOVERNMENTAL AFFAIRS

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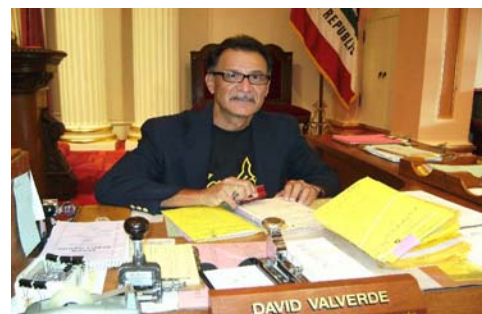
GOVERNOR SIGNS MORE THAN 600 BILLS, VETOES OVER 200

The Legislature began its Interim Recess on September 11, 2009, sending 884 regular session bills to Governor Arnold Schwarzenegger’s desk for consideration. During the first year of the 2009–2010 session, the Legislature introduced a total of 2,422 regular session bills, down from the 2,803 bills introduced in the first year of the 2007–2008 Session.

October 11 was the final day for the Governor to sign or veto nonurgency regular session bills passed by the Legislature by September 11, 2009. To date, 636 have been signed and another 241 vetoed. By comparison, in 2007, 964 bills ultimately made their way to the Governor’s desk, where 750 were signed and 214 vetoed. In addition, the Legislature convened seven Extraordinary Sessions in 2009 during which a total of 330 bills were introduced. So far, 79 have been signed into law and 17 have been vetoed.

A summary chart of regular session bill dispositions follows, including comparative numbers from 2007. For information on the Governor’s actions on Judicial Council–sponsored legislation, see “Judicial Council–Sponsored Legislation” in this issue.

The Office of Governmental Affairs’ 2009 *Legislative Summary* of more than 80 enacted measures that affect the courts or are of interest to the legal community will be available online this winter at www.courtinfo.ca.gov.



Chief Assistant Secretary of the Senate David Valverde enrolls bills to the Governor. Valverde retired November 12 after 33 years of service in the Office of the Secretary of the Senate.

Legislative Calendar

January 1

Statutes take effect.

January 4

Legislature reconvenes.

2009 Regular Session Legislative History As of October 29, 2009	ASSEMBLY BILLS* 2009	SENATE BILLS* 2009	ASSEMBLY BILLS* 2007	SENATE BILLS* 2007
Introduced	1,589	833	1,751	1,052
Passed by House of Origin	903	460	918	584
Refused Passage on the Floor	16	0	2	2
Enrolled and Presented to Governor	577	307	584	380
Signed by Governor and Chaptered	400	236	451	299
Vetoed by Governor	177	64	133	81

* Does not include constitutional amendments and resolutions.

JUDICIAL COUNCIL–SPONSORED LEGISLATION

In 2009, the Judicial Council sponsored legislation on the following judicial branch priorities:

CIVIL AND SMALL CLAIMS AB 5 (Evans; Stats. 2009, ch. 5). Civil discovery: Electronic Discovery Act.

This bill, cosponsored by the Judicial Council, the Consumer Attorneys of California, and the California Defense Counsel, enacts the Electronic Discovery Act of 2009. Among other provisions, the bill adds definitions of “electronic” and “electronically stored information” to the Civil Discovery Act and authorizes the discovery of electronically stored information. **Status:** Signed into law. The legislation took effect on June 29, 2009. *For more information, contact Daniel Pone at daniel.pone@jud.ca.gov or 916-323-3121.*

COURT FACILITIES SBX2 12 (Steinberg; Stats. 2009–2010, 2nd Ex. Sess., ch. 10). Court facilities continuous appropriation.

On February 20, 2009, the Governor signed SBX2 12, which provides a continuous appropriation to allow the Judicial Council to expend funds accrued under SB 1407 (Perata; Stats. 2008, ch. 311) for site acquisition and preliminary design plans for 41 courthouse construction and renovation projects. **Status:** Signed into law. The legislation took effect on May 21, 2009. *For more informa-*

tion, contact Curtis Child at curtis.child@jud.ca.gov or 916-323-3121.

COURT OPERATIONS AB 663 (Jones), as amended June 15, 2009. Legal aid: court interpreters: appearances by telephone.

The bill creates a working group charged with identifying and developing best practices to maximize existing resources to increase the number of court interpreters participating in civil actions and proceedings. Creates a pilot project to implement the recommendations of the working group in a small number of courts. Requires the Judicial Council to enter into one or more master agreements with providers of telephonic appearance services. Requires a telephonic appearance vendor to pay the state \$15 per appearance to support the civil interpreter pilot program. Revises and standardizes the court data collection and reporting requirements. **Status:** Two-year bill. *For more information, contact Janus Norman at janus.norman@jud.ca.gov or 916-323-3121.*

SB 556 (Committee on Judiciary; Stats. 2009, ch. 596). Courts. Senate Bill 556 makes several noncontroversial changes to improve court operations. The bill clarifies the law governing post-judgment fees in small claims court. SB 556 also clarifies that a court is authorized to submit unpaid bail amounts to the Fran-

chise Tax Board’s Court-Ordered Debt program. Finally, SB 556 makes a conforming change regarding the ability of courts to recover costs for court-ordered probate investigations. **Status:** Signed into law. Takes effect on January 1, 2010. *For more information, contact Daniel Pone at daniel.pone@jud.ca.gov or Janus Norman at janus.norman@jud.ca.gov or 916-323-3121.*

JUDGESHIPS SB 377 (Corbett), as introduced February 26, 2009. New judgeships.

The bill adds the third set of 50 new trial court judgeships to the superior courts, pursuant to the allocation previously approved by the Judicial Council. **Status:** Two-year bill. *For more information, contact Donna Hershkowitz at donna.hershkowitz@jud.ca.gov or 916-323-3121.*

JUDICIAL BENEFITS SBX2 11 (Steinberg; Stats. 2009–2010, 2nd Ex. Sess., ch. 9). Judicial benefits.

A 2008 Court of Appeal decision (*Sturgeon v. County of Los Angeles*) held that 1997 trial court funding legislation authorizing county-paid supplemental judicial benefits was inconsistent with state constitutional requirements and invalidated the judicial benefits being paid by Los Angeles County to superior court judges in that county. SBX2 11 authorizes

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LEGISLATIVE REVIEW

The following is a final update of the first year of the 2009–2010 Legislative Session on selected bills of interest to the courts, as of October 30, 2009.

CIVIL AND SMALL CLAIMS SB 209 (Corbett and Harman; Stats. 2009, ch. 569). Civil ac- tions: disabled access.

Provides necessary cleanup to the provisions in SB 1608 (Corbett et al.; Stats. 2008, ch. 549) regarding sealing of records and protective orders. SB 1608 provided that a Certified Access Specialist program (CASp) report was subject to a protective court order if the defendant satisfied certain requirements relating to inspection of the site at issue. SB 209 instead requires the CASp inspection report to remain confidential and allows disclosure only to the parties to the action, the parties' attorneys, and others necessary to the settlement of the case. SB 209 also requires the report to remain confidential throughout the stay and until the conclusion of the claim, unless there is a showing of good cause by any party.

Status: Signed into law. Takes effect January 1, 2010.

JC* position: Support.

CRIMINAL

AB 250 (Miller; Stats. 2009, ch. 424). Criminal procedure: trials: timing.

Requires the defendant's withdrawal of the waiver of his or her

speedy trial time limits to occur in open court. Provides that, in the absence of a general time waiver or upon the withdrawal of a general time waiver, the court shall set a trial date and notify the parties.

Status: Signed into law. Takes effect January 1, 2010.

JC position: Support.

AB 447 (Nestande), as introduced. Criminal procedure: trial counsel: defendant: inability to pay.

Makes mandatory on the court and defendant several provisions relating to the court's determination of a defendant's ability to pay for counsel: in every case in which a defendant appears at arraignment without counsel; in every case in which a court determines that a defendant cannot employ his or her own counsel; in every case in which public counsel is appointed; and in every case in which a juvenile is represented by public counsel.

Status: Two-year bill.

JC position: Oppose.

AB 674 (Salas), as introduced.

Criminal procedure: veterans. Establishes a deferred entry of judgment program and a preconviction drug diversion program for veterans who suffer from post-traumatic stress disorder or traumatic brain injury and who commit specified offenses.

Status: Two-year bill.

JC position: No position.

AB 742 (Saldaña), as amended May 12, 2009. Elections: felony conviction statements.

Requires the clerk of the superior court in each county to furnish the county elections official with a list of persons who have been convicted of felonies and were sentenced to state prison. Conforms statute with the holding of *League of Women Voters of California v. Bruce McPherson*, 145 Cal.App.4th 1469.

Status: Vetoed by the Governor.

JC position: No position.

AB 806 (Fuentes), as amended May 20, 2009. Criminal procedure: pleas.

Requires the court, when accepting a plea from a person who is not a citizen, to advise the person that if he or she is deported and returns to the United States, he or she could be charged with a separate federal offense and subjected to harsh penalties for illegal reentry into the United States.

Status: Vetoed by the Governor.

JC position: No position.

AB 1123 (Davis; Stats. 2009, ch. 137). Professions and vocations: process servers: registration.

Eliminates the court's role in suspending or revoking process server registrations.

Status: Signed into law.

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*JC = Judicial Council.

2009 SEES CHANGES IN LEGISLATIVE SEATS

With only one day remaining in the first year of the 2009–2010 Legislative Session, a new State Assembly member was sworn in, bringing to an end the domino effect created by the election of one senator to the Los Angeles County Board of Supervisors. But the shuffling of seats had not come to an end. One day prior, an Assembly member had resigned for personal reasons, and, later in the fall, a Senate vacancy was created when another senator was appointed to the Riverside County Board of Supervisors.



Senator Curren Price (D-Los Angeles)

Former Senator Mark Ridley-Thomas (D-Los Angeles) vacated the 26th Senate District seat in November 2008 when he was elected to the Los Angeles County Board of Supervisors. The 26th District encompasses portions of Los Angeles County, including the cities of Hancock Park, Culver City, Hollywood, and Los Angeles. Then-Assembly Member Curren Price (D-Los Angeles) won the Ridley-Thomas seat after a contentious March 2009 primary, where he garnered 35.8 percent of the vote, requiring a runoff contest as part of the statewide special election held May 19, 2009.

Price handily won the runoff against Republican Party and Peace & Freedom Party candidates. He took the Senate oath of office on June 8, creating a vacancy for the 51st Assembly District seat.

Gardena City Council Member Steven Bradford won a special primary election held on September 1, 2009, to fill the seat vacated by Price. In 2006, Bradford lost the Democratic primary for the same seat to Price by only 113 votes.



Assembly Member Steven Bradford (D-Inglewood)

With 52.9 percent of the vote, Bradford beat five competitors to represent the

51st Assembly District, which encompasses portions of Los Angeles County, including the cities of Gardena, Hawthorne, Inglewood, and Lawndale and the communities of Westchester, Lennox, Willowbrook, and West Compton. By winning over 50 percent of the vote, Bradford was not required to face a runoff election against the Republican competitor, Los Angeles businessman David Coffin, who finished third with 16.9 percent of the vote. Bradford was sworn in by Assembly Speaker Karen Bass (D-Los Angeles) on September 10, one day before the Legislature was set to begin its fall Interim Recess.

On September 9—one day before Bradford was sworn in—Assembly Member Mike Duvall (R-Brea) resigned his 72nd Assembly District seat. Governor Arnold Schwarzenegger called for a special primary election on November 17 to elect a representative for the 72nd Assembly District, which covers Brea, Fullerton, Placentia, Yorba Linda, and other portions of Orange County. Five candidates were vying for the seat, and since no one secured a majority of the vote in the primary, a runoff will be held January 12, 2010.



Senator John Benoit (R-Riverside)

Then, on November 4, Senator John Benoit (R-Riverside) was appointed by Governor Arnold Schwarzenegger to the Riverside County Board of Supervisors to represent District IV, which includes the cities of Blythe, Cathedral City, Indio, Palm Desert, and Rancho Mirage. Benoit has represented the 37th Senate District since 2008 and previously served in the Assembly from 2002 to 2008 representing the 64th Assembly District. Benoit resigned his Senate seat on November 30 and on December 1, was sworn into the county seat. Benoit pushed back the swearing-in, initially set for November 9, to spare taxpayers the cost of holding two special elections to fill his Senate seat.

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BENCH-BAR COALITION OUTLINES PLANS FOR 2010; MURRAY INSTALLED AS NORTHERN/CENTRAL REGION COCHAIR

Braving the closure of the San Francisco–Oakland Bay Bridge just hours earlier, more than 60 Bench-Bar Coalition (BBC) members attended the fall 2009 meeting at the Administrative Office of the Courts (AOC) on Wednesday, October 28, 2009, in San Francisco.

Bench, bar, and legal services leaders gathered for the annual meeting that featured remarks from Chief Justice Ronald M. George, strategic planning sessions, recognition for outstanding contributions to the judicial branch, and the installation of new executive committee members.

During opening remarks and introductions by BBC cochairs Ruthe C. Ashley and Thomas J. Warwick, Jr., the group welcomed 11 first-time participants, including officers and executive directors from the El Dorado, Monterey, Solano, and Sonoma County bar associations.

Judicial Council Update

The first order of business for the daylong meeting was an update by AOC Office of Governmental Affairs (OGA) Assistant Director Donna Hershkowitz on the judicial branch's anticipated 2010 legislative and budget activities. A status report on legislation of particular interest to the bench and bar included bills signed or vetoed by the Governor and bills carried over into the second year of the 2009–2010 Legislative Session. Legislative priorities for 2010 include securing sufficient funding to avoid court closures, seeking authorization for the third set of 50 judge-ships and continuing to move forward on critical court construction and technology projects.

Ms. Hershkowitz also briefed BBC members on the informational legislative hearing that was simultaneously taking place in Sacramento. The Assembly Committee on Accountability and Administrative Review, chaired by Assembly Member Hector De La Torre (D-South Gate), invited judicial branch leaders

to address questions on the judicial branch budget, branch technology initiatives, and operations of the Judicial Council and AOC. Among those testifying were Supreme Court Associate Justices Ming W. Chin and Carlos R. Moreno, Court of Appeal Associate Justices Richard D. Huffman and Tani Cantil-Sakauye, Judge Terry B. Friedman of the Superior Court of Los Angeles County, and Administrative Director of the Courts William C. Vickrey. Several judicial branch representatives and justice system partners testified in support of the branch during the public comment period.

Focus on BBC Objectives

The expanded format for this year's fall meeting provided an opportunity to hold concurrent sessions for in-depth discussions in three focus areas: the legislative outlook for 2010; the impact of judicial branch budget reductions on the courts, practitioners, and court users; and options to enhance bench, bar, and legal services partnerships. In each roundtable, facilitators led participants through a series of discussion points and sought responses to questions that were later summarized and reported back to the full group; this will form the foundation for the coalition's draft objectives for 2010. Ms. Hershkowitz and OGA advocates June Clark, Daniel Pone, and Janus Norman were joined by BBC Executive Committee Member Carmen Ramirez and Alameda County Bar Association Executive Director Ann Wassam as roundtable facilitators.

Chief Justice Outlines Strategy

As he has for the past several years at the fall meeting, Chief Justice Ronald M. George updated BBC members on recent developments within the judicial branch, thanking them for their commitment and partnership. In reflecting on the serious nature of the state's fiscal situation, Chief Justice George noted that the branch finds itself having to "defend fundamental branch programs," including judicial

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2009–2010 CLASS OF JUDICIAL FELLOWS OFFICIALLY BEGINS

By Daniel Kuo, *Judicial Administration Fellow*

The Judicial Administration Fellowship Program (JAFP) may be in its 12th year, but each class of Fellows is always experiencing the program for the first time. The class of 2009–2010 started in Sacramento during a weeklong orientation from September 21 to 25. The orientation took place primarily in the Administrative Office of the Courts (AOC) Office of Governmental Affairs (OGA), introducing us to the program (and vice versa) and giving us a quick primer on the California courts.

The JAFP is part of the Center for California Studies' Capital Fellows Programs, which aims to provide 10 individuals with direct exposure to the judicial system of California and to prepare them for future careers in court administration, public policy, and law. Fellows are assigned to various court administration offices across California and have the opportunity to work closely with mentors at each location on a variety of projects. We also participate in a monthly graduate-level seminar through Sacramento State University. One key difference between our program and the rest of the Capital Fellows is our placements: we are assigned throughout the state, while other programs are housed only in Sacramento. This gives us an opportunity, as a group, to compare the experiences of working in different court environments.

But our diverse placements also mean we have to take full advantage of our little time together. For example, we began our orientation by bringing together all fellows and mentors, as well as program directors and advisors, for our official greeting and introduction. Following this welcome was a week full of presentations, workshops, and panels with a long roster of guest speakers. Topics included the history of the California judiciary and the importance of public education and information. Other sessions included a workshop on diversity in the judicial branch and a discussion of the current budget crisis and its impact



(Left to right) JAFP Fellows Matt Campbell, Johann Strauss, Katie Collings, and David Moutrie discuss diversity in the judicial branch during an orientation workshop.

on the courts with state Assembly staff members and an OGA senior analyst.

By the end of the week we had seen the details of numerous different aspects of the judiciary. “The orientation introduced us to the courts, gave us some background on the ‘organized chaos’ that is court administration, and provided a brief overview of current challenges the state courts are facing,” said Fellow David Moutrie, who is placed with the Superior Court of Orange County.

It was especially exciting to hear about these issues from so many knowledgeable sources. Judge Kathleen White of the Superior Court of Yolo County joined us one day for lunch, discussing the culture of courts and the ways in which Fellows can benefit—and benefit from—their working environments. We also visited a Sacramento courthouse and observed a dependency trial hearing, presided over by Commissioner Scott P. Harman. “The opportunity to listen and interact with high-level directors, judicial officers, and subject matter experts set the standard for the rest of the fellowship term,” said Fellow Johann Strauss, who is placed in the Executive Office at the AOC. Among other things, our orientation reinforced the fact that we are

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JUDICIAL FELLOWS

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working in an area of profound importance to our society.

“It was great seeing the rest of the Fellows for the first time,” said Fellow Matt Campbell, placed in the Superior Court of Sacramento County. “We’re all really different people, with different backgrounds, and coming from different places in life, but it’s amazing to

think that we’re all working toward one goal—to facilitate the smooth administration of justice in the courts.” Our class is diverse, but we share at least one similarity: we are all preparing to enter a new field and we are all seeking to learn. Because of this, one of the most valuable parts of our orientation was the chance to develop a group of colleagues who could work together in understanding the world of judicial administration.



The 2009–2010 Class of Judicial Administration Program Fellows and their placements are:

(Top row, left to right)

Matthew Campbell, Superior Court of Sacramento County, Communications and Outreach Department

Embert Madison, Jr., Superior Court of San Francisco County, ACCESS Center

Rebecca Said, Superior Court of San Luis Obispo County, Executive Office

(Middle row, left to right)

Johann Strauss, Administrative Office of the Courts, Executive Office, San Francisco

Michael Mikawa, Superior Court of Alameda County, Planning and Research Bureau

Katelyn Collings, Superior Court of San Diego County, Public Affairs and Community Outreach

David Moutrie, Superior Court of Orange County, Planning and Research Department

(Front row, left to right)

Anna Yi, Superior Court of Los Angeles County, Community Relations Office

Daniel Kuo, Court of Appeal, Second Appellate District, Clerk’s Office, Los Angeles

Terra Townsend, Superior Court of Butte County, Executive Office

JUDICIAL COUNCIL–SPONSORED LEGISLATION

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counties and courts that have been providing local judicial benefits to continue to provide those benefits on the same terms and conditions as provided on July 1, 2008. The AOC is required to provide to the Legislature on or before December 31, 2009, a report analyzing inconsistencies in benefits statewide. **Status:** Signed into law. The legislation took effect on May 21, 2009. For more information, contact Curtis Child at curtis.child@jud.ca.gov or 916-323-3121.

JURIES

SB 319 (Harman; Stats. 2009, ch. 44). Jury service. SB 319 eliminates the sunset and reporting requirement on provisions allowing courts to impose monetary sanctions for failure to appear in response to a jury summons. Shortens the time that must elapse before a compliance action may be initiated. **Status:** Signed into law. Takes effect on January 1, 2010. For more information, contact June Clark at june.clark@jud.ca.gov or 916-323-3121.

JUVENILE DEPENDENCY

Blue Ribbon Commission on Children in Foster Care.

The commission, chaired by Justice Carlos R. Moreno, issued its final recommendations to the Judicial Council in August 2008. Three bills were sponsored or cosponsored by the council in 2009 to implement those recommendations:

AB 12 (Beall and Bass), as amended April 29, 2009. Juvenile dependency.

AB 12 extends foster care support to age 21 for youth who are pursuing educational or vocational goals to ensure that they can make a transition to adulthood. It also revises California's existing kinship guardianship program (Kin-GAP) to allow the state to obtain federal funding to support this successful program. **Status:** Two-year bill. For more information, contact Tracy Kenny at tracy.kenny@jud.ca.gov or 916-323-3121.

AB 131 (Evans; Stats. 2009, ch. 413). Juvenile dependency; juvenile proceedings; costs.

AB 131 authorizes the Judicial Council to implement a cost recovery program to collect reimbursement from parents for the cost of dependency counsel and directs that the recovered funds be used to reduce caseloads for attorneys. **Status:** Signed into law. Takes effect on January 1, 2010. For more information, contact Tracy Kenny at tracy.kenny@jud.ca.gov or 916-323-3121.

AB 938 (Committee on Judiciary; Stats. 2009, ch. 261). Dependent children: relative caregivers and foster parents.

AB 938 requires that social workers investigate the identity and location of all grandparents and other adult relatives of a child after the child is detained and notify the relatives that the child has been removed from his or her parents and the means by which the relative might participate in the child's care. **Status:** Signed into law. Takes effect on January 1, 2010. For more information, contact Tracy Kenny at tracy.kenny@jud.ca.gov or 916-323-3121.

2009 SEES CHANGES IN LEGISLATIVE SEATS

In other legislative news, former Assembly Member Paul Krekorian (D-Burbank) was elected to the Los Angeles City Council in a special run-off election on Tuesday, December 8, 2009. Krekorian will represent Council District 2, which includes the cities of North Hollywood and Van Nuys. A special election will now have to be held to fill Krekorian's Assembly seat.

Finally, on Monday, November 23, 2009, Governor Schwarzenegger named Republican Senator Abel Maldonado to replace John Garamendi as Lieutenant Governor of California. Garamendi, a Walnut Grove Democrat, left his position when he won his campaign to represent the 10th District in the U.S. Congress. Maldonado's appointment requires legislative approval. Should Maldonado be confirmed by the Legislature, one additional Senate seat will be vacant.

LEGISLATIVE REVIEW

(Continued from page 3)

Takes effect on January 1, 2010.

JC position: No position.

AB 1516 (Lieu; Stats. 2009, ch. 297). Criminal procedure: discovery.

Allows the court to order a defendant or juvenile, upon timely request of the prosecution, to submit to an examination by a prosecution-retained mental health expert whenever the defendant or respondent places his or her mental state in issue through proposed testimony of any mental health expert, at any phase of the criminal action or juvenile proceeding.

Status: Signed into law. Takes effect January 1, 2010.

JC position: No position.

SB 431 (Benoit; Stats. 2009, ch. 588). Probation: transfers.

Requires a court, when granting probation to an individual who permanently resides in a county other than the county of conviction, to transfer legal jurisdiction of the case to the county in which that person permanently resides, unless the court determines on the record that the transfer would be inappropriate. Requires the court in the county of the probationer's residence to accept legal jurisdiction over the case. Requires the Judicial Council to adopt rules of court providing factors for the court's consideration when determining the appropriateness of a transfer and procedures for the transfers.

Status: Signed into law. Takes effect January 1, 2010.

JC position: Support.

SB 432 (Runner; Stats. 2009, ch. 49). Crime victims: restitution.

Requires the probation officer of the county in which a person is committed to an institution under the jurisdiction of the Department of Corrections and Rehabilitation to send to the department a victim's contact information, if the victim consents, when the court has ordered the defendant to pay restitution to the victim. States that the victim's contact information will remain confidential.

Status: Signed into law. Takes effect January 1, 2010.

JC position: Neutral, as amended May 5, 2009.

SB 678 (Leno; Stats. 2009, ch. 608). Criminal recidivism.

Creates the California Community Corrections Performance Incentives Act to provide sustainable funding for improved, evidence-based probation supervision practices and capacities to improve public safety outcomes among adult felons who are on probation. Provides a formula-based system for sharing state savings with probation for purposes of improved supervision of felony probationers when those savings are achieved as a result of reduced prison admissions attributable to improved felony probation outcomes.

Status: Signed into law. Takes effect January 1, 2010.

JC position: Support in concept.

FAMILY LAW

AB 375 (Nielsen), as amended June 1, 2009. Child custody: child sexual abuse.

Limits the use of ex parte proceedings to modify child custody orders when there is evidence that the person seeking custody has committed recent acts of child sexual abuse.

Status: Two-year bill.

JC position: No position.

AB 612 (Beall), as amended June 28, 2009. Custody and visitation: nonscientific theories.

Provides that courts may consider the significant hostility of a child toward a parent as evidence corroborating allegations of abuse by that parent in a child custody dispute and that courts shall not make a determination that allegations of physical or sexual abuse are false based solely on the expression of significant hostility by the child toward the allegedly abusive parent. Requires that training for child custody evaluators include this provision.

Status: Two-year bill.

JC position: Neutral, as amended May 5, 2009.

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LEGISLATIVE REVIEW

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JUDGES/JUDICIAL OFFICERS

AB 32 (Lieu; Stats. 2009, ch. 403). Public officials: personal information.

Requires a person, business, or association, upon receiving the written demand of an elected or appointed official, including judicial officers, to immediately remove the official's home address or telephone number from public display on the Internet and to continue to ensure that that information is not reposted on the Internet or any subsidiary Web site. Allows an elected or appointed official to designate the official's employer or any voluntary professional association of similar officials to act as that official's agent with regard to making a written demand or seeking enforcement of these posting requirements.

Status: Signed into law. Takes effect January 1, 2010.

JC position: Support.

AB 942 (Committee on Judiciary), as amended July 14, 2009. Judgeships.

Provides the Judicial Council with the opportunity to expedite the conversion of subordinate judicial officers to judgeships by increasing the number of conversions that may occur in each year from 16 to 26. Allows the additional positions to be converted (up to 10) if the conversion would result in a judge being assigned to a family or juvenile law calendar previously assigned to a subordinate judicial officer.

Status: Two-year bill.

JC position: Support.

BENCH-BAR COALITION

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education and infrastructure projects like courthouse construction and case management technology. He went on to address efforts within the branch to keep vital programs and services intact given the budget reduction of \$414 million and thanked court leaders and staff for their individual and collective sacrifices in responding to the unique challenges each court is facing.

"In the best of times," the Chief Justice noted, "making good on the promise of equal justice under the law is a challenge. In times like these, it requires the extraordinary commitment of a great number of people in the courts, in the legal profession, and in government at all levels." He then took questions from BBC members and closed by assuring them that they have his full support and appreciation for their efforts to protect and promote access to justice.

Outstanding Efforts Recognized

Chief Justice George joined the BBC cochairs in

recognizing five bench, bar, and legal services leaders for their outstanding contributions in support of the judicial branch. Honorees were:

- Outstanding Bar Leader: David Torres, Past-President, Kern County Bar Association, Bakersfield
- Outstanding Legal Services Leader: Linda Kim, Assistant Director, Public Interest Clearinghouse, San Francisco
- Outstanding Bench Leader: Associate Justice James R. Lambden, Court of Appeal, First Appellate District, San Francisco
- Outgoing California Judges Association President: Judge Mary O. Wiss, Superior Court of San Francisco County
- Outgoing State Bar of California President: Holly Fujie, Los Angeles

New Executive Committee Members Installed

Judge William J. Murray, Jr., Superior Court of

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BENCH-BAR COALITION

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San Joaquin County, was installed as the new Northern/Central Region cochair, replacing Ruthe Ashley, who was recognized for her service as the regional cochair for 2008–2009. Judge Stephen H. Baker, presiding judge of the Superior Court of Shasta County, and former Kern County Bar Association President David Torres were installed as the two Northern/Central Region at-large members, replacing Judge Murray and former State Bar Board of Governors member Windie Scott of Sacramento, both of whom were recognized for their service on the executive committee. Joel Miliband was also recognized for his service on the executive committee as the BBC's immediate past cochair. Accepting on his behalf was Cathrine Castaldi, past-president of the Orange County Bar Association.

Education Focuses on Impartial Courts

The recommendations of the Commission for Impartial Courts were the topic of a one-hour course taught by Justice Douglas P. Miller, Court of Appeal, Fourth Appellate District in Riverside. Course participants earned minimum continuing legal education (MCLE) or judicial education credit. After presenting a brief overview of the commission and its charge, Justice Miller, who served on the commission's steering committee and chaired the Task Force on Judicial Candidate Campaign Conduct, guided participants through a discussion of a series of recommendations, challenging them to consider how each, if adopted or imple-

mented, would (1) safeguard judicial quality, impartiality, and accountability in the judicial branch; (2) affect their roles as judicial officers or legal practitioners; or (3) pose significant challenges for the branch. Justice Miller noted that he was "duly impressed" by the BBC members' detailed observations on the recommendations and found them to be helpful for the upcoming presentation to the Judicial Council.

Supreme Court Notables Share Perspectives

The capstone of the day's planning meeting was the first visit to the BBC by Supreme Court Associate Justice Carol A. Corrigan. Justice Corrigan immediately opened the floor for questions from the audience and delighted BBC members with stories, from an insider's perspective, about how the court operates. Frederick "Fritz" Ohlrich, Clerk of the Supreme Court, then escorted BBC members up to the Supreme Court's historic chambers for a guided tour—also a first for the BBC. There they heard about the construction of the chambers, practices and protocols followed by the justices, and historical (and humorous) anecdotes on a few of the many cases that have come before the court.

The BBC will hold its next quarterly conference call on **Monday, January 25, 2010, from 4 to 5 p.m.** For more information about the Bench-Bar Coalition, contact Dia Poole in the Office of Governmental Affairs at dia.poole@jud.ca.gov or 916-323-3121.



Bench-Bar Coalition honorees and executive committee members were congratulated by Chief Justice Ronald M. George. Pictured are (left to right) David Torres, Outstanding Bar Leader and executive committee at-large member; Holly Fujie, past-president of the State Bar of California; Hon. James R. Lambden, Outstanding Bench Leader; Hon. William J. Murray, Jr., BBC Northern/Central Region cochair; Chief Justice George; Ruthe Ashley, past BBC cochair; Thomas J. Warwick, BBC Southern Region cochair; Linda Kim, Outstanding Legal Services Leader; Hon. Stephen Baker, executive committee at-large member; and Windie Scott, outgoing executive committee at-large member.



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NEW LAWS WORKSHOPS EMBRACE TECHNOLOGY, EXPAND TRIAL COURT PARTICIPATION

The Administrative Office of the Courts (AOC), in partnership with the California Court Association (CCA) Legislation Committee, presented the 2009 New Laws Workshops in a new format on November 16 and 17. These workshops, cosponsored by the AOC and the CCA since 2005, are designed to inform and facilitate discussion with trial court staff and provide assistance in the development of court procedures necessary to implement newly enacted laws that directly affect trial court operations.

Instead of meeting in three in-person, all-day sessions around the state, the workshops incorporated WebEx technology, online videos, and teleconferencing to reach more courts statewide while minimizing travel and training costs to the superior courts and the entire judicial branch. Fifty-five courts and an estimated 1,500 court staff participated in the nine Webcast sessions over the two-day period.

Whereas in past years workshop participants received course materials on site in hard-copy, for the 2009 workshops court staff were offered online access to course materials two weeks before the workshop sessions. A new orientation video was also produced and made available online to guide and instruct workshop participants on how to use the 2009 course materials to prepare for the workshop sessions. In addition, a special, dedicated e-mail address was created to accept questions from court staff about new legislation.

The nine 60-minute sessions, called “Webinars,” covered newly enacted legislation in three broad areas: (1) civil law and small claims; (2) criminal and traffic laws; and (3) family, juvenile, and probate-related laws. In contrast to prior years, when workshop participants had to select from among three concurrent subject-area sessions, the 2009 format allowed workshop participants to attend all sessions in the three subject areas. During the Webinars, the workshop faculty fielded questions that were submitted in advance by court staff on the new laws. The faculty also provided immediate responses to questions and issues raised by the workshop participants during the sessions.

The workshop organizers are interested in receiving feedback from all workshop participants and have set up an online survey to collect comments on the 2009 New Laws Workshops. All participants are invited to complete the survey and post comments by accessing the 2009 New Laws Workshops link on the AOC COMET Web site (www.courtinfo.ca.gov/comet/html/online_learning.htm).

For questions regarding future New Laws Workshops, please contact Henry Sepulveda in the Office of Governmental Affairs at henry.sepulveda@jud.ca.gov or 916-323-3121.

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.