

## 2009 New Laws Workshop

### Tier 2 Bills

### Civil

#### AB 5 (Evans)

#### Chapter 5, Statutes of 2009

#### Urgency legislation, effective

June 29, 2009

#### Summary Description of New Law

Creates the Electronic Discovery Act, expressly authorizing the discovery of electronically stored information and the “copying, testing or sampling” of such information. Establishes procedures for motions to compel and motions for protective orders relating to the discovery of electronically stored information. Sets forth a procedure for handling disputes over the production of electronically stored information that is subject to claims of privilege or attorney work-product protection.

	Existing Law	New Law	Impact on Court
1	<p><b>Discovery of Electronically Stored Information.</b></p> <p>Permits a party to a civil action to obtain discovery by inspecting documents, tangible things, and land or other property in the possession of any other party to the action.</p> <p>Code of Civil Procedure § 2031.010(a), (d)</p>	<p><b>Discovery of Electronically Stored Information.</b></p> <p>Expressly permits discovery of electronically stored information (ESI) and provides that parties may demand copying, testing, sampling or inspection of such information.</p> <p>Code of Civil Procedure § 2031.010(a), (e)</p>	<p>By expressly authorizing discovery of ESI and prescribing related procedures, these provisions establish a uniform statutory framework for judicial officers handling disputes related to discovery. Court implementation requirements principally involve making judicial officers aware of this new law, which has been in effect since June 29, 2009.</p>
2	<p><b>Definitions.</b></p> <p>Sets definitions for the purposes of the Civil Discovery Act.</p> <p>Code of Civil Procedure § 2016.020</p>	<p><b>Definitions.</b></p> <p>Adds, for purposes of the Electronic Discovery Act, the following new definitions:</p>	<p>No direct impact.</p>

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Existing Law	New Law	Impact on Court
	<ul style="list-style-type: none"><li>• “Electronic” means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.</li><li>• “Electronically stored information” means information that is stored in an electronic medium.</li></ul> <p>Code of Civil Procedure § 2016.020(d), (e)</p>	
<p>3 <b>Timing of discovery demands and responses.</b></p> <p>Permits the party demanding inspection and the responding party to agree to extend the time for service of a response to a set of inspection demands, or to particular items or categories of items in a set, to a date beyond that set in statute. Code of Civil Procedure § 2031.020</p>	<p><b>Timing of discovery demands and responses.</b></p> <p>Allows the parties to agree to extend the date for inspection, copying, testing, or sampling of ESI. Code of Civil Procedure § 2031.020</p>	<p>No direct impact.</p>
<p>4 <b>Responses to discovery demands.</b></p> <p>Requires the party to whom an inspection demand has been directed to respond separately to each item or category of items by any of certain</p>	<p><b>Responses to discovery demands.</b></p> <p>Provides that if a party objects to the discovery of ESI on the grounds that it is from a source that is not reasonably accessible because of</p>	<p>No direct impact.</p>

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Existing Law	New Law	Impact on Court
<p>responses, including a statement that the party will comply, lacks the ability to comply, or objects to the particular demand for inspection by the date set for inspection. Code of Civil Procedure § 2031.210</p>	<p>undue burden or expense, and that the responding party will not search the source in the absence of an agreement with the demanding party or court order, the responding party shall identify in its response the types or categories of sources of ESI that it asserts are not reasonably accessible. Preserves the responding party's right to any objections it may have relating to such ESI. Code of Civil Procedure § 2031.210(d)</p>	
<p>5 <b>Inspection of documents.</b> Requires any documents produced in response to an inspection demand to be produced as they are kept in the usual course of business, or be organized and labeled to correspond with the categories in the demand. Code of Civil Procedure § 2031.280</p>	<p><b>Inspection of documents.</b> Makes existing rules applicable to the inspection of documents also applicable to ESI, expanding its scope to include documents produced in response to a demand for copying, testing, or sampling. Code of Civil Procedure § 2031.280(a)  Provides that if a party responding to a demand for production of ESI objects to a specified form for producing the information, or if no</p>	<p>No direct impact.</p>

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Existing Law	New Law	Impact on Court
	<p>form is specified in the demand, the responding party shall state in its response the form in which it intends to produce each type of ESI. Code of Civil Procedure § 2031.280(c)</p> <p>Provides further that, unless the parties otherwise agree or the court orders otherwise, if a demand for production does not specify a form or forms for producing a type of ESI, the responding party is required to produce the information in the form or forms in which it is ordinarily maintained or in a form that is reasonably usable, but need not produce the same ESI in more than one form. Code of Civil Procedure § 2031.280(d)</p>	
<p>6 <b>Protective orders and motions to compel.</b></p> <p>Provides that when an inspection for documents, tangible things, or places has been demanded, the party to whom the demand has been directed,</p>	<p><b>Protective orders and motions to compel.</b></p> <p>Provides that a party seeking a protective order, or a party objecting to or opposing a demand for, the production, inspection, copying,</p>	<p>Bench officers need to be made aware that, when produced ESI is subject to a claim of privilege or work product protection and is not returned to the producing party, the information is submitted to the court conditionally under seal for a</p>

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Existing Law	New Law	Impact on Court
<p>and any other party or affected person or organization, may promptly move for a protective order. Allows the court, for good cause shown, to make any order that justice requires to protect any party or other natural person or organization from unwarranted annoyance, embarrassment, or oppression, or undue burden and expense. Code of Civil Procedure § 2031.060</p>	<p>testing, or sampling of ESI, on the basis that the information is from a source that is not reasonably accessible, because of the undue burden or expense, shall bear the burden of so demonstrating. Code of Civil Procedure §§ 2031.060 (c), 2031.310(d)</p> <p>Authorizes the court to order discovery if the demanding party shows good cause even where it is established that the ESI is from a source that is not reasonably accessible because of undue burden or expense. Code of Civil Procedure §§ 2031.060 (d), 2031.310(e)</p> <p>Provides that, if the court finds good cause for the production of ESI from a source that is not reasonably accessible, the court may set conditions for the discovery, including allocation of the expense of discovery. Code of Civil Procedure §§ 2031.060 (e), 2031.310(f)</p>	<p>determination of the claim.</p>

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Existing Law	New Law	Impact on Court
	<p>Provides that the court shall limit the frequency or extent of discovery of ESI, even from a source that is reasonably accessible, if the court determines that specified conditions exist.</p> <p>Code of Civil Procedure §§ 2031.060(f), 2031.310(g)</p>	
<p>7 <b>Discovery sanctions.</b></p> <p>Provides that the court may impose a monetary sanction against any party or any attorney of a party for specified violations of the discovery act.</p> <p>Code of Civil Procedure §§ 2031.060(h), 2031.300(c), 2031.310(h)(i), 2031.320(b)(c)</p>	<p><b>Discovery sanctions.</b></p> <p>Provides generally that the court shall not impose sanctions on a party or any attorney of a party for failure to provide ESI that has been lost, damaged, altered, or overwritten as the result of the routine, good-faith operation of an electronic information system.</p> <p>Code of Civil Procedure §§ 2031.060(i), 2031.300(d), 2031.310(j), 2031.320(d)</p>	<p>No direct impact.</p>
<p>8 <b>Subpoenas.</b></p> <p>Establishes procedures for obtaining records and requiring the attendance of witnesses through subpoenas.</p> <p>Code of Civil Procedure § 1985</p>	<p><b>Subpoenas.</b></p> <p>Provides that a party serving a subpoena requiring production of ESI may specify the form or forms in which each type of information is to be produced.</p>	<p>No direct impact.</p>

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Existing Law	New Law	Impact on Court
	<p>Code of Civil Procedure § 1985.8(b)</p> <p>Specifies that, unless the subpoenaing party and the subpoenaed party otherwise agree or the court otherwise orders, the following shall apply:</p> <p>(1) If a subpoena requiring production of ESI does not specify a form or forms for producing a type of electronically stored information, the person subpoenaed shall produce the information in the form or forms in which it is ordinarily maintained or in a form that is reasonably usable.</p> <p>(2) A subpoenaed person need not produce the same ESI in more than one form.</p> <p>Code of Civil Procedure § 1985.8(c)</p> <p>Provides that the subpoenaed person opposing the production, inspection, copying, testing, or sampling of ESI on the basis that information is from a source that is not reasonably accessible because of undue burden or expense shall bear the burden of proof.</p>	

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Existing Law	New Law	Impact on Court
	<p>Code of Civil Procedure § 1985.8(d)</p> <p>Provides that if the person from whom discovery of ESI is subpoenaed establishes that the information is from a source that is not reasonably accessible because of undue burden or expense, the court may nonetheless order discovery if the subpoenaing party shows good cause.</p> <p>Code of Civil Procedure § 1985.8(e)</p> <p>Provides that if the court finds good cause for the production of ESI from a source that is not reasonably accessible, the court may set conditions for the discovery of the electronically stored information, including allocation of the expense of discovery.</p> <p>Code of Civil Procedure § 1985.8(f)</p> <p>Specifies that, if necessary, the subpoenaed person, at the reasonable expense of the subpoenaing party, shall, through detection devices, translate any data compilations included in the</p>	

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Existing Law	New Law	Impact on Court
	<p>subpoena into a reasonably usable form.</p> <p>Code of Civil Procedure § 1985.8(g)</p> <p>Provides that the court shall limit the frequency or extent of discovery of ESI, even from a source that is reasonably accessible, if the court determines:</p> <p>(1) It is possible to obtain the information from some other source that is more convenient, less burdensome, or less expensive.</p> <p>(2) The discovery sought is unreasonably cumulative or duplicative.</p> <p>(3) The party seeking discovery has had ample opportunity by discovery in the action to obtain the information sought.</p> <p>(4) The likely burden or expense of the proposed discovery outweighs the likely benefit, taking into account the amount in controversy, the resources of the parties, the importance of the issues in the litigation, and the importance of the</p>	

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Existing Law	New Law	Impact on Court
	<p>requested discovery in resolving the issues.</p> <p>Code of Civil Procedure § 1985.8(h)</p> <p>Provides that a party serving a subpoena requiring the production of ESI shall take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena.</p> <p>Code of Civil Procedure § 1985.8(j)</p> <p>Provides that an order of the court requiring compliance with a subpoena issued under this act shall protect a person who is neither a party nor a party's officer from undue burden or expense resulting from compliance.</p> <p>Code of Civil Procedure § 1985.8(k)</p> <p>Specifies that, absent exceptional circumstances, the court shall not impose sanctions on a subpoenaed person or any attorney of a subpoenaed person for failure to provide ESI that has been lost, damaged, altered, or overwritten as the result of the routine, good faith</p>	

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Existing Law	New Law	Impact on Court
	<p>operation of an electronic information system. Code of Civil Procedure § 1985.8(1)(1)</p> <p>Provides that these provisions shall not be construed to alter any obligation to preserve discoverable information. Code of Civil Procedure § 1985.8(1)(2)</p>	

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**2009 New Laws Workshop**  
**Tier 2 Bills**  
**Civil**

**AB 121 (Hernandez)**  
**Chapter 410, Statutes of 2009**

**Summary Description of New Law**

Establishes a process for the continuation of a judgment lien on personal property eliminating the need for a creditor to file a new lien at the end of five years.

Existing Law	New Law	Impact on Court
<p>1 <b>Notice of judgment lien.</b></p> <p>Provides that a judgment lien against specified personal property of a debtor is created by filing a notice of the lien in the office of the Secretary of State. Specifies that the judgment lien expires at the end of five years from the date of filing, unless the money judgment is satisfied or the lien is terminated or released.</p> <p>Code of Civil Procedure § 697.510</p>	<p><b>Notice of judgment lien.</b></p> <p>Permits the continuation of a notice of judgment lien filed in the office of the Secretary of State by the filing of a continuation statement not more than six months prior to the expiration of the first five-year period. Provides that a continuation statement that is not filed within six months of the expiration of the five-year period is ineffective. Specifies that a timely filed continued notice of judgment lien is effective for five years commencing on the day that the notice of judgment lien would have lapsed.</p> <p>Code of Civil Procedure § 697.510(c), (d), (e)</p> <p>Defines “continuation statement” as an amendment to the original notice</p>	<p>Courts need to make judicial officers aware of the new continuation statement that may be used by judgment creditors to extend a judgment lien against personal property.</p>

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Existing Law	New Law	Impact on Court
	<p>of judgment lien that contains the identification (file number) of the initial notice of judgment to which it relates and that indicates it is a continuation statement. Code of Civil Procedure § 697.510(f)</p>	
<p>2 <b>Extinguishment of judgment lien.</b> No existing law.</p>	<p><b>Extinguishment of judgment lien.</b> Provides that the judgment lien created by the filing of a notice of the lien in the office of the Secretary of State is extinguished at the earlier of: (1) the satisfaction of the money judgment; (2) the termination of the period for enforceability of the judgment; or (3) the termination or release of a judgment lien. Code of Civil Procedure § 697.510(g)(1)  Provides that if the lien is extinguished, the judgment creditor shall file a statement of release within 20 days after the judgment creditor receives an authenticated demand from the judgment debtor. Code of Civil Procedure § 697.510(g)(2)</p>	<p>No direct impact.</p>

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Existing Law	New Law	Impact on Court
<p>3 <b>Motion to release judgment lien.</b> No existing law.</p>	<p><b>Motion to release judgment lien.</b> Provides that if a judgment creditor does not file a statement of release pursuant to Code of Civil Procedure section 697.510(g)(2), the person who made the demand may apply to the court on noticed motion for an order releasing the judgment lien.</p> <p>Specifies that the notice of motion shall be filed in the county where the judgment was rendered and shall be served personally or by mail on the judgment creditor.</p> <p>Provides that, upon presentation of evidence to the satisfaction of the court that the judgment lien has been extinguished, the court shall order the judgment creditor to prepare and file a statement of release or shall itself order the release of the judgment lien.</p> <p>Specifies that the court order may be filed in the office of the Secretary of State and shall have the same effect as the statement of release demanded under Code of Civil</p>	<p>Courts need to make judicial officers and staff aware of the new motion to release a judgment lien that may be brought if a judgment creditor improperly fails to release a judgment lien.</p>

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**Tier 2 Bills**  
**Civil**

Existing Law	New Law	Impact on Court
	<p>Procedure section 697.510(g). Code of Civil Procedure § 697.510(h)</p> <p>Provides that the court shall award reasonable attorney's fees to the prevailing party.</p> <p>Code of Civil Procedure § 697.510(i)</p>	

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### Tier 2 Bills

#### Civil

#### AB 170 (Mendoza)

#### Chapter 87, Statutes of 2009

#### Summary Description of New Law

Provides, until January 1, 2017, that real time transcripts, like rough draft transcripts, cannot be used, cited, distributed, or transcribed as the official certified transcript, or to contradict the official certified transcript.

	Existing Law	New Law	Impact on Court
1	<p><b>Use of real time transcripts.</b></p> <p>Provides that a transcript of court proceedings certified by an official court reporter is prima facie evidence of the court proceedings.</p> <p>Prohibits a rough draft transcript from being used, cited, or transcribed as the official record of the proceedings, or used or cited to rebut or contradict the official certified transcript.</p> <p>Code of Civil Procedure § 273</p>	<p><b>Use of real time transcripts.</b></p> <p>Prohibits real time transcripts from being used, cited, distributed, or transcribed as the official certified transcript, and being used or cited to rebut or contradict the official certified transcript. Sunsets January 1, 2017.</p> <p>Code of Civil Procedure § 273</p>	<p>Courts need to advise court staff that a rough draft transcript may not be distributed as the official certified transcript of the proceedings.</p> <p>In addition, judicial officers, counsel and parties should be made aware that the instant visual display of the testimony or proceedings, or both, shall not be cited or used in any way or at time to rebut or contradict the official certified transcript of the proceedings.</p>

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**2009 New Laws Workshop**  
**Tier 2 Bills**  
**Civil**

**AB 524 (Bass)**  
**Chapter 449, Statutes of 2009**

**Summary Description of New Law**

Increases the privacy protection of California residents by providing that a person who sells, transmits, publishes, or broadcasts an image, recording, or physical impression of someone engaged in a personal or familial activity violates the “invasion of privacy” laws.

	Existing Law	New Law	Impact on Court
1	<p><b>Invasion of Privacy.</b> Imposes liability for “invasion of privacy” on any person who intrudes upon private space to capture images or recordings of a person engaging in personal activities. Civil Code § 1708.8</p>	<p><b>Invasion of Privacy.</b> Creates a civil penalty of not less than \$5,000 and not more than \$50,000 for individuals who violate the “invasion of privacy” law.  Creates a unique distribution for civil penalty amounts, allocating one-half of the penalty amount collected to the prosecuting agency and one-half to the Arts and Entertainment Fund in the State Treasury.  Civil Code § 1708.8</p>	<p>Implementing this measure may have a major impact on caseloads depending on the volume of cases filed. Court staff needs training and case management system will require programming of new distribution codes, and special handling for distribution to the prosecuting agencies.</p>

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**2009 New Laws Workshop**  
**Tier 2 Bills**  
**Civil**

**AB 568 (Lieu)**  
**Chapter 453, Statutes of 2009**

**Summary Description of New Law**

Provides that every nonresidential building or place used for the purpose of willfully manufacturing, intentionally selling, or knowingly possessing for sale any counterfeit goods is a nuisance which shall be enjoined, abated, and prevented, and for which damages may be recovered. Permits a district attorney, city attorney, or any citizen or resident to bring an action to abate and prevent the nuisance and perpetually enjoin the person conducting or maintaining the nuisance. Sunsets on January 1, 2015.

Existing Law	New Law	Impact on Court
<p>1 <b>Nuisance abatement.</b></p> <p>Provides that every building or place used for the purpose of illegal gambling, lewdness, assignation, or prostitution, and every building or place wherein or upon which these acts take place, is a nuisance that shall be enjoined, abated, and prevented, whether it is a public or private nuisance.</p> <p>Penal Code § 11225 et seq.</p>	<p><b>Nuisance abatement.</b></p> <p>Provides that every nonresidential building or place used for the purpose of willfully manufacturing, intentionally selling, or knowingly possessing for sale any counterfeit goods is a nuisance which shall be enjoined, abated, and prevented, and for which damages may be recovered, in the same basic manner as in other nuisance abatement actions.</p> <p>Business &amp; Professions Code § 17800</p> <p>Provides that an abatement action under the bill's provisions is discretionary rather than mandatory.</p> <p>Business &amp; Professions Code</p>	<p>Courts need to inform judicial officers of this new type of abatement action, which may cause an increase in the number of nuisance abatement actions being filed.</p>

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Existing Law	New Law	Impact on Court
	<p>§ 17800(a)</p> <p>Specifies that an owner shall be provided with 30 days' notice prior to the filing of an action to abate a nuisance under the bill's provisions.</p> <p>Business &amp; Professions Code</p> <p>§ 17800(b)</p>	
<p>2 <b>Enforcement actions.</b></p> <p>Authorizes a district attorney, city attorney, or citizen, to maintain an action to abate and prevent the nuisance and perpetually enjoin the person conducting or maintaining it, and the owner, lessee, or agent of the building or place in or upon which the nuisance exists, from directly or indirectly maintaining or permitting the nuisance.</p> <p>Penal Code § 11226</p>	<p><b>Enforcement actions.</b></p> <p>Permits a district attorney, city attorney, or any citizen or resident to bring an action to abate and prevent the nuisance based on counterfeit goods and perpetually enjoin the person conducting or maintaining the nuisance.</p> <p>Penal Code § 11226</p>	<p>Courts need to inform judicial officers of this new type of abatement action, which may cause an increase in the number of nuisance abatement actions being filed.</p>

**2009 New Laws Workshop**  
**Tier 2 Bills**  
**Civil**

**AB 590 (Feuer)**  
**Chapter 457, Statutes of 2009**

**Summary Description of New Law**

Redirects a recently authorized increase in miscellaneous court fees to fund a pilot program that provides representation for indigent litigants in specified civil case types, beginning July 1, 2011 and ending July 1, 2017.

	Existing Law	New Law	Impact on Court
1	<p><b>Allocation of miscellaneous post-judgment fees.</b></p> <p><i>Before July 1, 2011</i></p> <p>Provides that the fee for services authorized pursuant to Government Code § 70626(a) (includes issuing an abstract of judgment, certifying copies, and issuing writs of mandate, attachment, execution, possession or sale) is \$25 and those authorized pursuant to Government Code § 70626(b) (includes issuing an order of sale, renewal of judgment, and filing a confession of judgment) is \$30. These fee revenues are deposited into the Trial Court Trust Fund.</p> <p>Government Code §§ 68085.1, 70626</p>	<p><b>Allocation of miscellaneous post-judgment fees.</b></p> <p><i>After July 1, 2011</i></p> <p>Requires that \$10 from each fee collected pursuant to Government Code § 70626(a) and (b) be used by the Judicial Council to implement and administer a civil representation pilot program (which will become inoperative as of July 1, 2017). Provides that the fee for the services in Government Code § 70626(a) and Government Code § 70626(b) will revert to \$15 and \$20 respectively, beginning July 1, 2017.</p> <p>Government Code §§ 68085.1, 70626</p>	<p>Because of this measure’s delayed implementation, no immediate action is required by trial courts. Courts should be aware of changes in the distribution of funds effective July 1, 2011.</p>
2	<p><b>Civil representation pilot program.</b></p>	<p><b>Civil representation pilot program.</b></p>	<p>Courts should consider whether they</p>

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Existing Law	New Law	Impact on Court
No existing law.	Establishes, from July 1, 2011, to July 1, 2017, a pilot program to provide legal representation to indigent litigants in civil matters including housing, domestic violence, civil harassment restraining orders, probate conservatorships, guardianships of the person, elder abuse, or actions for sole legal or physical custody of a child. Provides that courts and legal services agencies would partner to apply for the funds, with legal services taking the lead role in providing representation, and courts making improvements (such as improved self-help, training, or calendaring) in the handling of the case types to be served by the project. Identifies the Judicial Council as the entity responsible for administering the funds and submitting an evaluation report on the pilot to the Legislature by March 30, 2016. Government Code §§ 68650, 68651	want to seek funding to participate in the pilot program and, if so, to convene discussions with their local legal services providers to determine which case types they would want to include, and how the court might revise its practices to advance the objectives of the pilot program.

**2009 New Laws Workshop**  
**Tier 2 Bills**  
**Small Claims**

**AB 712 (Evans)**  
**Chapter 468, Statutes of 2009**

**Summary Description of New Law**

Clarifies that small claims court has jurisdiction over an action for an injunction or other equitable relief *only* when a statute expressly authorizes a small claims court to award that relief. Specifies that nothing in the bill is intended to expand, or to encourage the expansion of, the jurisdiction of the small claims court.

	Existing Law	New Law	Impact on Court
1	<p><b>Injunctive or other equitable relief in small claims court.</b></p> <p>Provides that, in small claims actions, the court may grant equitable relief in the form of rescission, restitution, reformation, and specific performance in lieu of, or in addition to, money damages.            Code of Civil Procedure § 116.220(b)</p> <p>Provides that an action to enforce specified provisions governing homeowners' association elections may be brought in small claims court if the amount of the demand does not exceed the jurisdiction of that court.            Civil Code § 1363.09(c)</p> <p>Provides that a member of a homeowners' association may bring an action to enforce the member's right to inspect and copy the</p>	<p><b>Injunctive or other equitable relief in small claims court.</b></p> <p>Clarifies that a small claims court has jurisdiction to issue an injunction or other forms of equitable relief <i>only</i> when a statute expressly authorizes the court to award that relief.            Code of Civil Procedure § 116.220(a)(5)</p> <p>Reinforces, by restatement in the small claims act, that such actions for equitable relief may be brought in small claims court.</p> <p>Reinforces, by restatement in the small claims act, that such actions for equitable relief may be brought in small claims court.</p> <p>Provides that nothing in this act is</p>	<p>Courts will need to inform judicial officers that hear small claims matters, including temporary judges, and court staff, of the clarification concerning the small claims court's jurisdiction. This change may cause an increase in the number of homeowners' association disputes being filed in small claims court.</p>

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**Tier 2 Bills**  
**Small Claims**

Existing Law	New Law	Impact on Court
association's records in small claims court if the amount of the demand does not exceed the jurisdiction of that court. Civil Code § 1365.2(f)	intended to expand, or to encourage the expansion of, the jurisdiction of the small claims court.	

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**2009 New Laws Workshop**  
**Tier 2 Bills**  
**Civil**

**AB 839 (Emmerson)**  
**Chapter 255, Statutes of 2009**

**Summary Description of New Law**

Provides that the judicial remedy for Medi-Cal providers seeking to appeal the denial of a grievance or complaint relating to Medi-cal reimbursement is to file a petition for a writ of mandate.

	<b>Existing Law</b>	<b>New Law</b>	<b>Impact on Court</b>
<p>1 <b>Judicial review of Medi-Cal health care provider disputes.</b>            Provides that a health care provider who has filed a grievance or complaint regarding the processing or payment of money by the Medi-Cal program with the Department of Health Care Services (DHCS) , but who is not satisfied with the DHCS decision is authorized to seek "appropriate judicial remedies."            Welfare &amp; Institutions Code § 14104.5</p>	<p><b>Judicial review of Medi-Cal health care provider disputes.</b>            Clarifies that the proper legal method for obtaining judicial relief from a denial by DHCS of specified Medi-Cal reimbursement claims is to file a petition for a writ of mandate pursuant to Code of Civil Procedure section 1085 in the superior court.            Welfare &amp; Institutions Code § 14104.5</p>	<p>No major impact to court, but may require minimal training and reprogramming of court's case management system.</p>	

## 2009 New Laws Workshop

### Tier 3 Bills

## Administration

New Law	Why New Law is Significant to Trial Courts
<p><b>SB 319 (Harman)</b> <b>Chapter 44, Statutes of 2009</b></p> <p>Eliminates the sunset and reporting requirement on provisions allowing courts to impose monetary sanctions for failure to appear in response to a jury summons. Decreases the amount of time that must elapse before a compliance action may be initiated.</p>	<p>Courts need to educate court staff responsible for issuing, monitoring, and enforcing jury summons about this extension of the court's authority to impose monetary sanctions for failure to appear.</p>
<p><b>SB 556 (Committee on Judiciary).</b> <b>Chapter 596, Statutes of 2009</b></p> <p>Clarifies that a court is authorized to submit unpaid bail amount to the Franchise Tax Board Court-Ordered Debt Collection program (FTB-COD) in addition to the Franchise Tax Board Tax Intercept Program (see also description of SB 556 in the Civil/Small Claims section).</p>	<p>Courts not already submitting unpaid bail to FTB-COD need to modify accounting procedures to provide for referral of unpaid bail amounts to this program for collection.</p>

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### Tier 3 Bills

#### Civil

New Law	Why New Law is Significant to Trial Courts
<p><b>AB 83 (Feuer)</b> <b>Chapter 77, Statutes of 2009</b></p> <p>Provides that medical, law enforcement, and emergency personnel who in good faith, and not for compensation, render emergency medical or nonmedical care at the scene of an emergency shall not be liable for any civil damages resulting from any act or omission.</p>	<p>Courts need to inform human resource management, risk managers, presiding judges and court executive officers of this provision which may be of interest in the event of any medical emergency that may occur in the workplace.</p>
<p><b>AB 124 (Galgiani)</b> <b>Chapter 83, Statutes of 2009</b></p> <p>Authorizes a court, based upon the court's finding that a cemetery manager of a private cemetery has ceased to perform his or her duties due to a lapse, suspension, surrender, abandonment, or revocation of his or her license, to appoint a temporary manager to manage the property of, and certain services provided by, the private cemetery, as provided, for a limited term of 6 months or until a new licensed cemetery manager is hired. Permits the court to authorize payment of reasonable compensation for the temporary manager's services, to be paid by the trustees from available income from the cemetery.</p>	<p>Courts need to make judicial officers aware of the new authority for issuance of a court order based upon specified findings.</p>

## 2009 New Laws Workshop

### Tier 3 Bills

#### Civil

New Law	Why New Law is Significant to Trial Courts
<p><b>AB 457 (Monning)</b> <b>Chapter 109, Statutes of 2009</b></p> <p>Provides that “claim of lien” shall have the same meaning as “mechanic’s lien” for purposes of the statement that must be signed and verified by the claimant recording a mechanic’s lien. Requires the Mechanic’s Lien and the Notice of Mechanic’s Lien to be served on the owner or reputed owner of the property, or on the construction lender or the original contractor if those parties cannot be served. Requires a proof of service affidavit to be completed and signed by the person serving the Notice of Mechanic’s Lien, and that it be included as part of the Mechanic’s Lien or claim of lien. Provides that a failure to serve the Mechanic’s Lien, including the Notice of Mechanic’s Lien, would render the Mechanic’s Lien unenforceable as a matter of law.</p>	<p>Courts need to make sure that judicial officers and staff attorneys who deal with actions to enforce, or release property from, Mechanic’s Liens are made aware of this change.</p>
<p><b>AB 530 (Krekorian)</b> <b>Chapter 244, Statutes of 2009</b></p> <p>Extends the sunset date to January 1, 2014, on two pilot programs permitting city attorneys or prosecutors to bring an unlawful detainer action against a tenant for unlawful activities involving firearms, ammunition, and controlled substances. Adds the City of Sacramento to the controlled substances pilot program. Exempts the City of Los Angeles from the sunset date of the controlled substances program, thereby extending the program indefinitely for that city.</p>	<p>Courts need to make sure that judicial officers and staff attorneys who deal with these types of actions in the cities of Los Angeles, Long Beach, Palmdale, San Diego, Oakland and Sacramento are made aware of these extensions of the pilot programs.</p>

## 2009 New Laws Workshop

### Tier 3 Bills

#### Civil

##### New Law

#### **AB 1046 (Anderson)**

#### **Chapter 499, Statutes of 2009**

Increases the specified portion of equity in a homestead that is exempt from execution to satisfy a judgment debt as follows:

- From \$50,000 to \$75,000 for the base exemption;
- From \$75,000 to \$100,000 if the judgment debtor or his or her spouse resides in the homestead and is, at the time of the sale, a member of a family unit, one member of which has no interest or only a limited interest; and,
- From \$150,000 to \$175,000 if the judgment debtor or the spouse of the judgment debtor who resides in the homestead is, at the time of the sale, 65 years of age or older, disabled, or 55 years of age or older with a limited income.

Requires the Judicial Council to determine and publish, on or before April 1, 2010, and at each 3-year interval ending on April 1 thereafter, to submit to the Legislature the amount by which the dollar amounts of the exemptions applicable to that exempt property may be increased based on the change in the annual California Consumer Price Index for All Urban Consumers. Provides that those increases shall not take effect unless they are approved by the Legislature.

##### Why New Law is Significant to Trial Courts

Courts need to make sure that judicial officers and staff who deal with issues related to enforcement of judgments are aware of this change. The debtor's homestead exemption is substantially increased and the new law provides a process for periodic review and increases in the exemption.

**2009 New Laws Workshop**  
**Tier 3 Bills**  
**Civil**

New Law	Why New Law is Significant to Trial Courts
<p><b>AB 1090 (Monning)</b> <b>Chapter 133, Statutes of 2009</b></p> <p>Provides that existing ethical standards and requirements for neutral arbitrators that were adopted by the Judicial Council pursuant to SB 475 (Escutia), Chapter 362 of the Statutes of 2001, are not subject to negotiation and may not be waived.</p>	<p>Courts need to make sure that judicial officers are aware of this change.</p>
<p><b>AB 1245 (Monning)</b> <b>Chapter 519, Statutes of 2009</b></p> <p>Authorizes the Secretary of State, whenever the secretary, in consultation with the State Archivist, has reasonable grounds to believe that a public record belonging to a state or a local agency is in the possession of a person, organization, or institution not authorized by law to possess the record, to issue a written notice demanding that person, organization, or institution within 20 calendar days, either return the record or respond in writing and declare why the record does not belong to the state or a local agency.</p> <p>Authorizes the Secretary of State, if the person, organization, or institution does not deliver the described record, does not respond to the notice and demand within the required time, or does not adequately demonstrate that the record does not belong to the state or a local agency, to ask the Attorney General to petition the superior court in the county in which the record is located for an order requiring the return of the record.</p>	<p>Courts need to make sure that bench officers are aware of this new action that may be filed in the trial courts only upon the filing of a petition by the Attorney General to order return of the records in the possession of an individual. This law addresses records that are in the possession of a person, organization or institution who is not authorized to possess the subject documents/records.</p> <p>The courts need to be aware of this procedure, setting of a hearing, and awarding of fees and costs.</p>

## 2009 New Laws Workshop

### Tier 3 Bills

#### Civil

New Law	Why New Law is Significant to Trial Courts
<p>Requires a superior court, after a hearing, and upon a finding that the specified record is in the possession of a person, organization, or institution not authorized by law to possess the record, to order the record to be delivered to the State Archivist or other government official designated by the court. Provides that the prevailing party may be awarded reasonable attorney's fees and costs.</p>	
<p><b>SB 39 (Benoit)</b> <b>Chapter 27, Statutes of 2009</b></p> <p>Provides that disaster service workers shall not be liable for civil damages on account of personal injury to or death of any person or property when acting within the scope of their responsibilities under the authority of the governmental emergency organization. Applies exclusively to any legal action filed on or after the effective date of the bill.</p>	<p>Courts need to make judicial officers aware of this change.</p>

## 2009 New Laws Workshop

### Tier 3 Bills

#### Civil

New Law	Why New Law is Significant to Trial Courts
<p><b>SB 120 (Lowenthal)</b> <b>Chapter 560, Statutes of 2009</b></p> <p>Revises existing public utility termination notice provisions, which currently apply only to the multi-unit residential tenancies, to extend to any residential structure, including a single-family dwelling. Among other things, requires utilities to make good faith efforts to inform tenants when the account is in arrears, including information about the residents' right to obtain the utility service in their own name and assume responsibility for payment of any subsequent charges. Permits a tenant of any residential dwelling to assume responsibility for payment for utility services and to deduct utility charges from any periodic rent owed, if the rent amount includes charges for utility services.</p>	<p>This law may affect resource materials that are prepared by the courts for unlawful detainer parties or landlord/tenant actions. Self-help center staff should be made aware of this change.</p>

**2009 New Laws Workshop**  
**Tier 2 Bills**  
**Civil**

**SB 188 (Runner)**  
**Chapter 566, Statutes of 2009**

**Summary Description of New Law**

Authorizes and sets forth the procedures and forms to be used by private postsecondary institutions to file a temporary restraining order on behalf of a student who has suffered a credible threat of violence made off campus from any individual.

Existing Law	New Law	Impact on Court
<p>1 Temporary restraining orders.</p> <p>Authorizes any employer, whose employee has suffered unlawful violence or a credible threat of violence from any individual, which can reasonably be construed to be carried out or to have been carried out at the workplace, to seek a temporary restraining order and an injunction on behalf of the employee and, at the discretion of the court, other employees, as specified. Any intentional and knowing violation of the temporary restraining order is a misdemeanor, punishable as specified.</p> <p>Code of Civil Procedure § 527.8</p>	<p><b>Temporary restraining orders.</b></p> <p>Authorizes the chief administrative officer of a private postsecondary educational institution to seek, with a student’s consent, a temporary restraining order on behalf of a student who has suffered a credible threat of violence. Provides that if the defendant is a current student of that private postsecondary institution, the judge shall receive evidence concerning the decision of the institution to retain, terminate, or otherwise discipline the defendant. Establishes a process for consideration, issuance, and enforcement of a restraining order conforming to the existing statutory process for restraining orders issued under other circumstances.</p>	<p>Courts could face possible increase in filing of petitions and responses for temporary restraining orders; Court staff will need training on new Judicial Council forms and instructions in processing these types of petitions and responses. In addition, courts may require minor updates to the case management system depending on the detail of statistical information captured by each court.</p>

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**2009 New Laws Workshop**  
**Tier 2 Bills**  
**Civil**

Existing Law	New Law	Impact on Court
	Code of Civil Procedure § 527.85; Penal Code § 273.6	

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## 2009 New Laws Workshop

### Tier 2 Bills

#### Civil

SB 209 (Corbett)

Chapter 569, Statutes of 2009

#### Summary Description of New Law

Requires a Certified Access Specialist inspection report filed with the court in specified construction-related disability access cases 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. Requires the report to remain confidential throughout the stay issued by the court and until the conclusion of the claim, unless there is a showing of good cause by any party.

Existing Law	New Law	Impact on Court
<p>1 <b>Treatment of Certified Access Specialist reports.</b></p> <p>Requires a court, in an action involving certain construction-related accessibility claims, to issue an order that directs the defendant to file with the court under seal and to serve on all parties a copy of the Certified Access Specialist (CASp) report at least 15 days before the date set for the early evaluation conference. Makes the submitted CASp report subject to a protective court order maintaining the confidentiality of the report.</p> <p>Civil Code § 55.54(c)</p>	<p><b>Treatment of Certified Access Specialist reports.</b></p> <p>Requires, instead of sealing, that the CASp report be kept confidential, and allows disclosure only to the parties to the action, the parties' attorneys, and certain others involved in the evaluation and settlement of the case.</p> <p>Civil Code § 55.54(d)(4), (5)</p> <p>Requires the CASp report to remain confidential until the conclusion of the claim, unless there is a showing of good cause by any party.</p> <p>Civil Code § 55.54(e)(4)</p>	<p>Bench officers need to be made aware of this change that substitutes the less burdensome requirement of maintaining the confidentiality of the CASp report for the requirement that the CASp report be sealed and subject to a protective order.</p> <p>Courts will need to adopt or modify their procedures to comply with this and the related early evaluation conference provisions from SB 1608 (Stats. 2008, ch. 549), which only became effective on October 13, 2009.</p>

**2009 New Laws Workshop**  
**Tier 2 Bills**  
**Civil**

**SB 320 (Corbett)**  
**Chapter 579, Statutes of 2009**

**Summary Description of New Law**

Adds to the list of exemptions of foreign money judgments that may be recognized in California a judgment for defamation obtained in a jurisdiction that does not provide equal or greater protection for free expression as that provided under both the United States and California Constitutions.

	Existing Law	New Law	Impact on Court
1	<p><b>Uniform Foreign-Country Money Judgments Recognition Act.</b></p> <p>Establishes the rules for the recognition of foreign-country money judgments.</p> <p>Code of Civil Procedure §§ 1713-1724</p> <p>Provides that a foreign-country money judgment is recognized in California unless: (a) the judgment was rendered under a judicial system that is incompatible with the requirements of due process; (b) the foreign court did not have personal jurisdiction over the defendant; or (c) the foreign court did not have jurisdiction over the subject matter.</p> <p>Code of Civil Procedure § 1716(b)</p>	<p><b>Uniform Foreign-Country Money Judgments Recognition Act.</b></p> <p>Adds new exemption described below.</p>	<p>Courts will need to make judicial officers and staff aware of the new exemptions for recognizing foreign-country money judgments.</p>

## 2009 New Laws Workshop

### Tier 2 Bills

#### Civil

	Existing Law	New Law	Impact on Court
2	<p><b>Exemptions.</b></p> <p>Specifies various circumstances under which a court does not have to recognize a foreign-country money judgment, including: where the judgment was obtained by fraud that deprived the losing party of an adequate opportunity to present its case; where the defendant was not given sufficient notice and therefore time to defend the case; and where the judgment was rendered in circumstances that raise substantial doubt on the integrity of the rendering court with respect to the judgment.</p> <p>Code of Civil Procedure § 1716(c)</p>	<p><b>Exemptions.</b></p> <p>Adds a new exemption which authorizes a court to refuse to recognize a foreign country judgment based on a defamation action obtained outside the United States, unless the court determines that the defamation law applied by the foreign court provided equal or greater protection for freedom of speech and the press in that case as would be provided by both the California and United States Constitutions.</p> <p>Code of Civil Procedure § 1716(c)(9)</p>	<p>Courts will need to review and revise court operating policies and procedures regarding the processing and entering of foreign-country money judgments.</p>
3	<p><b>Jurisdiction.</b></p> <p>Prohibits non-recognition of a foreign judgment based on a lack of personal jurisdiction if certain bases of personal jurisdiction are present.</p> <p>Code of Civil Procedure § 1717(a)</p>	<p><b>Jurisdiction.</b></p> <p>Provides that a court has jurisdiction over certain declaratory relief actions regarding liability for defamation judgments obtained in a foreign jurisdiction. Specifies that the court in such actions also has personal jurisdiction over the person or entity that obtained the foreign-country judgment if the publication at issue was published in California, and certain other criteria are met.</p> <p>Code of Civil Procedure § 1717(c)</p>	<p>Courts will need to make judicial officers aware of when the court has jurisdiction to determine the validity of a foreign-country money judgment.</p>

**2009 New Laws Workshop**  
**Tier 2 Bills**  
**Civil**

Existing Law	New Law	Impact on Court
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Provides that the above provision governing jurisdiction shall apply to persons who obtained judgments in defamation proceedings in a foreign country both prior to and after January 1, 2010.  
Code of Civil Procedure § 1717(c)

## 2009 New Laws Workshop

### Tier 2 Bills

## Civil

### SB 544 (Committee on Judiciary)

### Chapter 54, Statutes of 2009

#### Summary Description of New Law

Makes several technical and clarifying changes, including clarifying the deadline for return of documents relating to writs of execution, and making clear which documents must be filed with the court in conservatorship and guardianship accountings.

	Existing Law	New Law	Impact on Court
1	<p><b>Writs of execution.</b></p> <p>Provides, for writs of execution on earnings withholding orders, that within five days of service of the orders, specified documents must be filed with the levying officer (sheriff). Code of Civil Procedure § 706.108(d)</p>	<p><b>Writs of execution.</b></p> <p>Changes the time for filing the documents with the sheriff pursuant to such writs of execution to within five <i>court</i> days of service. Code of Civil Procedure § 706.108(d)</p>	<p>Courts need to make court staff and judicial officers aware of the new filing requirements.</p>
2	<p><b>Conservatorship and guardianship accountings.</b></p> <p>Requires that accountings filed with the court in guardianship and conservatorship cases include all financial institution account statements showing the account balance <i>at the beginning of the accounting period and the account balance</i> as of the closing date of the accounting period. Probate Code § 2620(c)(2)</p>	<p><b>Conservatorship and guardianship accountings.</b></p> <p>Removes the requirement to file account statements showing the account balance at the beginning of the accounting period. Probate Code § 2620(c)(2)</p>	<p>Courts need to make court staff responsible for reviewing accountings in guardianship and conservatorship matters aware of this change.</p> <p>Courts need to make court staff responsible for interaction with legal community aware of new processes in probate procedure.</p>

## 2009 New Laws Workshop

### Tier 1 Bills

## Administration

### SBX4 13 (Ducheny)

Chapter 22, Statutes of 2009

### SB 75 (Committee on Budget and Fiscal Review)

Chapter 342, Statutes of 2009

### Summary Description of New Law

Enacts a series of statutory changes to enact revisions to the state budget for fiscal year 2009-2010 (SBX4 13). Provides technical clean-up of budget-related provisions in SBX4 13 (SB 75). SBX4 13 took effect July 28, 2009, as an urgency bill. SB 75 takes effect January 1, 2010 (for purposes of this write-up, assume a July 28, 2009 effective date).

	Existing Law	New Law	Impact on Court
1	<p><b>Uniform civil filing fee.</b></p> <p>Requires parties in small claims proceedings to pay a reduced first paper filing fee of \$176.</p> <p>Business &amp; Professions Code § 6322.1</p> <p>Requires parties to unlimited civil proceedings to pay a first paper filing fee of \$350.</p> <p>Government Code §§ 68086.1, 70611, 70612, 70613, 70614, 70650, 70651, 70652, 70653, 70654, 70655, 70656, 70658, 70670</p>	<p><b>Uniform civil filing fee.</b></p> <p>Provides an across-the-board \$5 increase to the uniform first paper filing fees.</p> <p>Government Code §§ 68086.1, 70611, 70612, 70613, 70614, 70650, 70651, 70652, 70653, 70654, 70655, 70656, 70658, 70670</p>	<p>Courts need to do all the following:</p> <ul style="list-style-type: none"><li>• Update all case management systems and cash systems to reflect the new fees;</li><li>• Update all fee schedules;</li><li>• Post public notice of fee changes; and</li><li>• Due to the lack of advance opportunity for notice prior to the effective date, prepare to handle filings with insufficient fees.</li></ul>

## 2009 New Laws Workshop

### Tier 1 Bills

## Administration

Existing Law	New Law	Impact on Court
<p>2 <b>Statewide court closure.</b></p> <p>Provides for the observance of judicial holidays on which a court may not conduct judicial business.</p> <p>Code of Civil Procedure § 134, 135; Government Code § 6700</p>	<p><b>Statewide court closure.</b></p> <p>Authorizes the Judicial Council to declare the closure of all courts one additional day per month and provides that the closure day shall be treated as a judicial holiday for transaction of judicial business, including computation of time for filing or holding hearings.</p> <p>Provides that trial court employee furlough programs implemented in conjunction with the statewide court closure day shall not constitute a reduction in salary or service for the purposes of calculating retirement benefits.</p> <p>Government Code §§ 20969.1, 68106</p>	<p>Courts need to do all the following:</p> <ul style="list-style-type: none"><li>• Notify all employee unions of the closure days and address issues arising with the closure;</li><li>• Have court human resources divisions change their employee systems to reflect the changes (<i>e.g.</i>, coding for the furlough days, notices to employees of how to report closure days on timesheets);</li><li>• Issue public notice about the court closure day and that it is to be treated as a judicial holiday;</li><li>• Change court calendars to adjust for the closure days;</li><li>• Redistribute calendars already scheduled for first few closure days; and</li><li>• Renegotiate MOUs or Agreements with Sheriff's Office to reduce the cost for security services due to the court closure days.</li></ul>

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## 2009 New Laws Workshop

### Tier 1 Bills

## Administration

	Existing Law	New Law	Impact on Court
3	<p><b>Public access for court financial information.</b></p> <p>Requires superior courts to maintain official documents related to the financial condition of the courts and management information on matters within the scope of representation.</p> <p>Requires a court to make available upon written request those documents that are required to be maintained by superior court.</p> <p>Rule 10.802, California Rules of Court</p>	<p><b>Public access to court financial information.</b></p> <p>Expands and clarifies the types of documents that a superior court is required to provide under Rule of Court 10.802, including quarterly financial statements and executed contracts.</p> <p>Requires the Judicial Council to adopt rules of court to provide public access to non-deliberative and non-adjudicative records.</p> <p>Sunsetts the interim extension of Rule 10.802 upon the adoption of the rules of court by the Judicial Council.</p> <p>Government Code § 68106.2</p>	<p>Court executive offices and finance divisions need to develop local procedures in compliance with the Rules of Court to handle the requests. (The proposed rules are scheduled to be adopted by the Judicial Council in December, effective January 1, 2010).</p> <p>Once the Rules have been adopted, the courts need to set up procedures to address inquiries for materials under those rules. The Judicial Council is developing training and educational materials to assist with understanding courts' obligations under these new rules.</p>
4	<p><b>Court security.</b></p> <p>Requires the superior court and the sheriff of each county to enter into an annual or multi-year agreement for the provision of court security.</p> <p>Imposes a \$20 fee on every criminal conviction, including traffic offenses, to support the cost of providing adequate court security.</p>	<p><b>Court security.</b></p> <p>Requires the court and sheriff to renegotiate the amount paid for court security in light of the court closure day.</p> <p>Clarifies that the cost of services contained within an annual or multi-year agreement between the sheriff and the court shall be based on the</p>	<p>The court may need to change any Memorandum of Understanding with the sheriff to reflect the revised amount.</p> <p>The court and the sheriff need to determine the "average cost of salaries" based on the new directives and apply that amount in determine the cost of their security services</p>

## 2009 New Laws Workshop

### Tier 1 Bills

## Administration

Existing Law	New Law	Impact on Court
<p>Requires newly enacted fees and increased fees to be distributed after the complete distribution of all other fees and penalties enacted prior to January 1, 2009.</p> <p>Government Code §§ 69922, 69926; Penal Code § 1203.1d, 1465.8</p>	<p>estimated average cost of salaries and benefits of sheriff personnel.</p> <p>Increases the fee imposed upon every criminal conviction by \$10.</p> <p>Provides that the disbursement of the court security fee increase enacted by SB X4 13 (Stats 2009, Ch 22) is to occur in the same manner as the amount authorized prior to January 1, 2009.</p> <p>Government Code § 69926; Penal Code § 1465.8</p>	<p>provided by the Sheriff.</p>
<p>5 <b>Postjudgment fees.</b></p> <p>Requires a party to pay a fee of \$15 or \$20 for services authorized pursuant to Government Code § 70626(a) (includes issuing an abstract of judgment, certifying copies, and issuing writs of mandate, attachment, execution, possession or sale) and those authorized pursuant to Government Code § 70626(b) (includes issuing an order of sale, renewal of judgment, and filing a confession of judgment). These fee revenues are deposited</p>	<p><b>Postjudgment fees.</b></p> <p>Increases the fees for postjudgment services by \$10.</p> <p>Government Code § 70626</p>	<p>The courts will need to do all the following:</p> <ul style="list-style-type: none"><li>• Update all case management systems and cash systems to reflect the new fees;</li><li>• Update all fee schedules;</li><li>• Post public notice of fee changes; and</li><li>• Due to the lack of advance opportunity for notice prior to the effective date of the legislation, prepare to handle</li></ul>

**2009 New Laws Workshop**  
**Tier 1 Bills**  
**Administration**

Existing Law	New Law	Impact on Court
into the Trial Court Trust Fund. Government Code §§ 68085.1, 70626		filings with insufficient fees.