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Memorandum No. 3

Subject: Distribution of Recommendation
and Study Pamphlets

As you know, our printing program is now well under way. The Recommendation and Study relating to the Maximum Period of Confinement in a County Jail has been delivered and is ready for distribution, and the other 17 study pamphlets to be completed for the 1957 Session should be ready for distribution at one-and-two-week intervals during the next two months. The State Printer will retain 500 of the 2,000 copies of each pamphlet printed for inclusion in bound volumes and the remaining 1,500 copies will be delivered to our Stanford offices. It is, therefore, now necessary to decide how many of these 1,500 copies we want to distribute to interested persons, who these persons should be, and the manner in which the distribution should be handled.

Background

During the past two years we have been proceeding on a more or less ad hoc basis in distributing copies of our annual reports. We have, however, accumulated a mailing list of about 320 names composed of the following general groups:

Members of the Legislature	120
Supreme Court Justices and Judicial Council	8
Heads of State Departments and Agencies	35
State Bar (Board of Governors, Committee to Act in Liaison with Law Revision Commission, and Secretary)	17

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District Courts of Appeal, Presiding Judges	7
Deans of California Law Schools	8
Law professors	45
Law Reviews	1
California Law School Libraries	8
California County Law Libraries	2
Miscellaneous California Libraries	3
Non-California Law School Libraries	25
Miscellaneous non-California Libraries	6
Miscellaneous	<u>31</u>
Total	316

Copies of our reports have also been sent or given to a large number of people who have not yet been put on the list to receive copies in the future; i.e., research consultants, originators of suggestions, selected students and attorneys, etc. We estimate that we have distributed approximately 500 of the 2,000 copies of each report printed.

One method of handling the pamphlets containing our recommendations and studies would be to send them to the 320 people on our present mailing list and keep the remaining 1,200 in reserve for later requests and distribution to persons we think might be interested in particular studies. It seems likely that if this procedure were followed we would end up with an inventory of approximately 800-1,000 copies of each pamphlet. Presumably, however, the pamphlets are being printed to be distributed rather than stored, save for a

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reserve of 200-400 to meet future requests for them. Moreover, an inventory of 800-1,000 copies of each pamphlet would eventually present a serious storage problem. On the other hand, the cost of distribution even to our present mailing list will be substantial and the additional cost involved in expanding the list is a factor to consider.

Persons Who Might Be Added to
Distribution List

Our distribution list could be expanded in a number of ways. The following possible additions have occurred to us; others will doubtless occur to members of the Commission:

1. Members of Executive Committee of Conference of State Bar delegates (11).
2. Members of State Bar Committee on Administration of Justice and its advisors (18).
3. Additional Justices on District Courts of Appeal (14). (The seven Presiding Justices are on present list).
4. Judges U.S. Court of Appeals, Ninth Circuit (10).
5. Judges U. S. District Courts in California (18).
6. California Superior Court Judges (235).
7. California Municipal Court Judges (149).
8. California Justice Court Judges (335).
9. Additional California Law School Deans (3). (We have 8 on present list).
10. Additional California Law School Libraries (3). (We have 8 on present list).

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11. Additional California law school professors (150). We have 9 on present list)

Note: An alternative to this might be to send 3 copies of each pamphlet to each law school dean requesting him to give extra copies to professors most interested in subject.

12. Additional California law reviews (4). (We have one on present list)
13. All California legal newspapers (14).
14. Presidents of all local bar associations in California (88).
15. Additional county law libraries (31, including five branches of L.A. County law library). (We have 2 on present list)
16. All district attorneys (58).
17. All county counsels (15).
18. Additional non-California law school libraries (75). (We have 25 on present list)
19. Miscellaneous non-California public law libraries (94). (We have six on present list)
20. All present and past research consultants (21). (This would, of course, be an expanding list)
21. All persons who have sent us suggestions for study (150). (This, too, would be an expanding list)
22. Selected list of leading California law firms likely to have substantial private libraries (100). (There are 18 private law libraries in California having 5,000 volumes or more)

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Methods of Expanding Distribution
List

If it is decided that our present mailing list should be expanded to include some or all of the categories listed above, we could do so by any of three methods:

First method: We could simply add to the list the names of various groups of people and begin regular distribution to them, without asking them whether they are interested in receiving copies of the pamphlets. (A form letter labelled "A", attached, is suggested for enclosure with the first recommendation and study sent to persons added to the list in this manner or presently on the list.)

Second method: We could send to people in some or all of the groups considered for inclusion a copy of the first recommendation and study together with a self-addressed return postcard offering to place their names on a permanent mailing list to receive all studies if they so request. (See the attached form letter labelled "B".)

Third method: We could send, with or without a copy of the first pamphlet, a list of the subjects covered by the commission's 18 recommendations and studies and a return postcard and offer to send any which are requested (sending a similar list each year). (See the attached form letter labelled "C".)*

It would seem best to use a combination of these methods. The first method might be used in the case of judges of the California District Courts of Appeal and possibly of the superior courts, the deans of California law schools

* The second and third methods might be combined by giving a person an opportunity either to have all pamphlets sent to him or to designate which ones he wishes sent. (See the attached form letter labelled "D".)

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not on our present mailing list, California county law libraries and law school libraries not on our list, members of the Executive Committee of the Conference of State Bar Delegates, California legal newspapers, and California law reviews. The second method might be used for federal, superior, municipal and justice court judges, presidents of local bar associations, various libraries not covered above, and selected law firms. The third method might be used for law professors, district attorneys, county counsels, research consultants, suggestion originators, and others who would probably be interested in only a selected group of our studies.

Cost of Distribution

It seems clear that as we move to distribution of a substantial number of items to a substantial number of people each year, (even if only to our present list of 320), it will be necessary to use an addressograph. This service is available at Stanford. The cost is \$.06 for each addressograph plate and \$5.00 per thousand to run the plates through the machine.

We estimate that the cost of mailing separately each of the 18 pamphlets and the commission's 1957 report to one person would be as follows:

Addressograph plate	\$.06
19 envelopes @ \$.02	.38
19 addressograph runs @ \$.005	.10
Postage, 4th class @ \$.03 plus one 1st class enclosure (covering letter with first pamphlet)	.60
Total	\$ 1.14

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This cost could be considerably reduced by mailing the pamphlets in pairs or groups, rather than individually. Thus, either of the following mailing schedules might be used:

Schedule 1

<u>Mailing group</u>	<u>Study No.</u>	<u>Subject</u>
1	10	Maximum Period of Confinement in County Jail
2	15 12	Attorneys Fees and Costs Jury Instructions
3	8 1	Marital Testimonial Privilege Suspension of Absolute Power of Alienation
4	5 9	Probate Code Section 201.5 Penal Code Sections 1377, 1378
5	3	Dead Man Statute
6	2 4	Judicial Notice of Foreign Country Law Law Governing Survival of Actions
7	6 7	Code of Civil Procedure Section 660 Retention of Venue
8	13	Parties to Cross-Actions 1957 Report
9	11 16 26	Corporations Code Sections 2201, 3901 Planning Procedure Law Governing Escheat of Personal Property
10	32 35	Uniform Arbitration Act Uniform Post-Conviction Procedure Act

Under this schedule the cost of mailing all the pamphlets and the report to one person would be approximately as follows:

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Addressograph plate	\$.06
10 envelopes @ \$.02	.20
10 addressograph runs @ \$.005	.05
Postage, 4th class @ \$.05 (plus one 1st class letter)	.53
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Total	\$.84

Schedule 2

<u>Mailing group</u>	<u>Study No.</u>	<u>Subject</u>
1	10	Maximum Period of Confinement in County Jail
	15	Attorneys Fees and Costs
	12	Jury Instructions
2	8	Marital Testimonial Privilege
	1	Suspension of Absolute Power of Alienation
	5	Probate Code Section 201.5
	9	Penal Code Sections 1377, 1378
	3	Dead Man Statute
3	2	Judicial Notice Foreign Country Law
	4	Law Governing Survival of Actions
	6	Code of Civil Procedure Section 660
	7	Retention of Venue
	13	Parties to Cross-Actions 1957 Report
4	11	Corporations Code Sections 2201, 3901
	16	Planning Procedure
	26	Law Governing Escheat of Personal Property
	32	Uniform Arbitration Act
	35	Uniform Post-Conviction Procedure Act

The cost per person under this schedule would be:

Addressograph plate	\$.06
4 envelopes @ \$.02	.08
4 addressograph runs @ \$.005	.02
Postage: Group 1, including 1st class letter	.10
Groups 2, 3, 4 @ \$.12	.36
	<hr/>
Total	\$.62

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The cost of distributing various numbers of copies of all pamphlets could, therefore, vary as follows:

<u>No. distributed</u>	<u>Separate mailing</u>	<u>Schedule 1</u>	<u>Schedule 2</u>
320	\$ 364.80	\$ 268.80	\$ 198.40
500	570.00	420.00	310.00
700	798.00	588.00	434.00
800	912.00	672.00	496.00
1,000	1,140.00	840.00	620.00

The following table indicates various groups of people that are either on the list or might be added to the list and the costs of distributing to them:

Group	No. in group	No. on present list	Cost of distributing to present list			No. that might be added to list	Cost of adding to list		
			Separate mailing \$1.14	Schedule 1 \$.84	Schedule 2 \$.62		Separate mailing \$1.14	Schedule 1 \$.84	Schedule 2 \$.62
Legislators	120	120	\$136.80	\$100.80	\$ 74.40	--	--	--	--
Supreme Court & Judicial Council	8	8	9.12	6.72	4.96	--	--	--	--
Heads of State Departments	35	35	39.90	29.40	21.70	--	--	--	--
Board of Governors	15	15	17.10	12.60	9.30	--	--	--	--
State Bar Liaison Com.	3	3	3.42	2.54	1.86	--	--	--	--
Exec. Com. Conf. State Bar Delegates	11	--	--	--	--	11	\$ 12.54	\$ 9.24	\$ 6.82
CAJ and advisors	23	--	--	--	--	23	26.22	19.32	14.26
Local bar associations	88	--	--	--	--	88	100.32	73.92	54.56
District Courts of Appeal	21	7	7.98	5.88	4.34	14	15.96	11.76	8.68
U.S. Court of Appeals, 9th Cir.	10	--	--	--	--	10	11.40	8.40	8.68
U.S. District Courts	18	--	--	--	--	18	20.52	15.12	11.16
Calif. Superior Courts	235	--	--	--	--	235	267.90	197.40	145.70

Group	No. in group	No. on present list	Cost of distributing to present list			No. that might be added to list	Cost of adding to list		
			Separate mailing \$1.14	Schedule 1 \$.84	Schedule 2 \$.62		Separate mailing \$1.14	Schedule 1 \$.84	Schedule 2 \$.62
Calif. Municipal Courts	149	--	--	--	--	149	\$169.86	\$125.16	\$ 92.38
Calif. Justice Courts	335	--	--	--	--	335	381.90	281.40	207.70
Deans of Calif. law schools	11	8	9.12	6.72	4.96	3	3.42	2.52	1.86
Calif. law professors	150	8	9.12	6.72	4.96	142	161.88	119.28	88.04
Calif. law reviews	5	1	1.14	.84	.62	4	4.56	3.36	2.48
County counsels	15	--	--	--	--	15	17.10	12.60	9.30
District attorneys	58	--	--	--	--	58	66.12	48.72	35.96
Calif. law school libraries	11	8	9.12	6.72	4.96	3	3.42	2.52	1.86
County law libraries	33	2	2.28	1.68	1.24	31	35.34	26.04	19.22
Non-Calif. law school libraries	100	25	28.50	21.00	15.50	75	85.50	63.00	46.50
Misc. non-Calif. public law libraries	100	6	6.84	5.04	3.72	94	107.16	78.96	58.28
Calif. law firms	100	--	--	--	--	100	114.00	84.00	62.00

Group	No. in group	No. on present list	Cost of distributing to present list			No. that might be added to list	Cost of adding to list		
			Separate mailing \$1.14	Schedule 1 \$.84	Schedule 2 \$.62		Separate mailing \$1.14	Schedule 1 \$.84	Schedule 2 \$.62
Calif. legal newspapers	14	--	--	--	--	14	\$ 15.96	\$ 11.76	\$ 8.68
Research consultants	21	8	9.12	6.72	4.96	13	14.82	10.92	8.06
Originators of suggestions	150	--	--	--	--	150	171.00	126.00	93.00
TOTALS	1,839	254	289.56	213.38	157.48	1,585	1,806.90	1,331.40	985.18

Dear Senator Smith:

I enclose herewith a copy of the Recommendation and Study of the California Law Revision Commission relating to the Maximum Period of Confinement in a County Jail.

The Law Revision Commission was created by the Legislature in 1953 to examine the common law and statutes of the State for the purpose of discovering defects and anachronisms therein and to recommend such changes in the law as it deems necessary to modify or eliminate antiquated and inequitable rules of law and to bring the law of this State into harmony with modern conditions. ~~(Government Code Section 10330).~~ ^{studies} The Commission ~~may study~~ only those topics which the Legislature approves for its study or refers to it for study. ~~(Government Code Section 10335).~~

The enclosed pamphlet contains the recommendation of the Commission and the study prepared by the Commission's research consultant, ~~Mr. Thomas W. Cochran of Long Beach,~~ ^{member of the State Bar,} on a topic which was approved for study by the 1955 Session of the Legislature, ~~(Resolution Chapter 207, Statutes of 1955).~~ A number of other topics also were approved by the 1955 Session for inclusion in the Commission's first major study program. The Commission is

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now preparing a series of pamphlets containing its recommendations and studies on these topics. We will send them to you from time to time as they are completed.

The legislative members of the Commission ~~of Senator~~ ~~Jess R. Dursey and Assemblyman Clark A. Bradley~~ will introduce bills at the 1957 Session which, if enacted, would effectuate the recommendations of the Commission set forth and explained in the pamphlets.

If you have any questions regarding the enclosed recommendation and study or the other work of the Commission, I would be happy to respond to them.

Very truly yours,

Thomas E. Stanton, Jr.
Chairman

Dear Mr. Jones:

I enclose herewith a copy of the Recommendation and Study of the California Law Revision Commission relating to the Maximum Period of Confinement in a County Jail.

The Law Revision Commission was created by the Legislature in 1953 to examine the common law and statutes of the State for the purpose of discovering defects and anachronisms therein and to recommend such changes in the law as it deems necessary to modify or eliminate antiquated and inequitable rules of law and to bring the law of this State into harmony with modern conditions (Government Code Section 10330). The Commission may study only those topics which the Legislature approves for its study or refers to it for study.

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now preparing a series of pamphlets containing its recommendations and studies on these topics. If you would like to receive copies of these pamphlets and other materials prepared in the future by the Commission, we will put your name on our permanent mailing list upon your request. For this purpose a postcard addressed to the Commission's Executive Secretary is enclosed for your convenience.

Very truly yours,

Thomas E. Stanton, Jr.
Chairman

Enclosed postcard

Please add my name to your permanent mailing list to receive copies of all reports, recommendations and studies.

Name: _____

Address: _____

Dear Mr. Jones:

I enclose herewith a copy of the Recommendation and Study of the California Law Revision Commission relating to the Maximum Period of Confinement in a County Jail.

The Law Revision Commission was created by the Legislature in 1953 to examine the common law and statutes of the State for the purpose of discovering defects and anachronisms therein and to recommend such changes in the law as it deems necessary to modify or eliminate antiquated and inequitable rules of law and to bring the law of this State into harmony with modern conditions (Government Code Section 10330). The Commission may study only those topics which the Legislature approves for its study or refers to it for study (Government Code Section 10335).

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pamphlets will be the following:

- 1. A study of the conflict between Penal Code Section 19a, which limits commitment to a county jail to one year in misdemeanor cases, and other provisions of the Penal Code providing for longer county jail sentences in misdemeanor cases. (enclosed)
 - 2. Description of studies used in resolutions will be inserted
- to 18.

If you would like to receive copies of any of these pamphlets we will send them to you on request. A postcard addressed to the Commission's Executive Secretary on which you may indicate the pamphlets you want is enclosed for your convenience.

Very truly yours,

Thomas E. Stanton, Jr.
Chairman

Enclosed postcard

Please send me a copy of each recommendation and study checked below:

- | | | |
|----|-----|-----|
| 1. | 7. | 13. |
| 2. | 8. | 14. |
| 3. | 9. | 15. |
| 4. | 10. | 16. |
| 5. | 11. | 17. |
| 6. | 12. | 18. |

Name: _____

Address: _____

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I enclose herewith a copy of the Recommendation and Study of the California Law Revision Commission relating to the Maximum Period of Confinement in a County Jail.

The Law Revision Commission was created by the Legislature in 1953 to examine the common law and statutes of the State for the purpose of discovering defects and anachronisms therein and to recommend such changes in the law as it deems necessary to modify or eliminate antiquated and inequitable rules of law and to bring the law of this State into harmony with modern conditions (Government Code Section 10330). The Commission may study only those topics which the Legislature approves for its study or refers to it for study (Government Code Section 10335).

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The subject matter of the pamphlets will be the following:

1 - 18. [Description of studies will be inserted]

If you would like us to do so, we will put your name on our permanent mailing list to receive copies of all these pamphlets and all other materials prepared by the Commission in the future. If you would prefer, however, to

receive only a selected group of the Commission's recommendations and studies, we will send you those which would be of particular interest to you. Enclosed for your convenience is a postcard addressed to the Commission's Executive Secretary on which you may indicate whether you would like to receive copies of all materials or, if not, which pamphlets on the above list you would be interested in having.

Very truly yours,

THOMAS E. STANTON, JR.
Chairman, California Law
Revision Commission

Enclosed postcard

Please send me the following material:

All reports, recommendations and studies _____

Each recommendation and study checked below:

1 _____	7 _____	13 _____
2 _____	8 _____	14 _____
3 _____	9 _____	15 _____
4 _____	10 _____	16 _____
5 _____	11 _____	17 _____
6 _____	14 _____	18 _____

Name: _____

Address: _____