

Meeting

6/30/61

Second Supplement to Memorandum No. 15(1961)

Subject: Continuation of Study of the Uniform Rules of Evidence.

Mr. Lawrence C. Baker, Chairman of the State Bar Committee to Consider the Uniform Rules of Evidence, forwarded to me a copy of the minutes of the June 20, 1961 meeting of the Northern Section of the Committee. His letter of transmittal stated: "Will you please take particular notice of the last paragraph of these minutes."

The last paragraph of the minutes states:

At this point the Committee discussed the question of the general direction which its work and that of the Law Revision Commission had been taking. We have been at work for more than three years during which many changes have been proposed by both the Committee and the Law Revision Commission. These changes may well deprive the so-called Uniform Law of any semblance of uniformity with relation to the law as it may be adopted by other states. This being so the question arises in the minds of the Committee members as to the end which is sought here to be achieved. Is our purpose merely to adopt a new code of evidence for the State of California, and if that be so, is there a need for such a code? Doubts were expressed as to such need. Is our purpose to adopt a uniform law which will likewise be adopted in other states with preservation of the principle of uniformity? If the latter be the case, it would appear that our purpose has failed and the question therefore arises as to whether there is any point in continuing the study.

Although not listed on the agenda previously distributed to you, this matter should be discussed at the July meeting of the Commission so that Mr. Baker may be advised of the Commission's reaction to the view expressed by the Northern Section of the State Bar Committee. I have already advised Mr. Baker that the Commission will consider this matter at its July meeting.

Respectfully submitted,

John H. DeMouilly
Executive Secretary