

## Memorandum 89-27

Subject: Study L - Schedule for Completion of Work on Probate Code

The Commission should substantially complete work on its recommendations to the 1989 legislative session at its February meeting. We now need to set a tentative schedule for obtaining enactment of the new Probate Code.

We plan to have introduced this year (before the bill deadline of March 10) the bill to enact the new Probate Code. The new Probate Code, in this bill as introduced, will be the same as the existing Probate Code as it will be in effect on July 1, 1989. The staff plans to review the bill with great care and determine the technical, conforming, and substantive changes needed. Any significant substantive changes suggested by the staff will be reviewed by the Commission at the July 1989 meeting. Amendments will be made to the bill in August 1989 to make the changes. Interested persons can review the bill after it is reprinted with the changes shown in strikeout and italic. The Commission will review the entire bill, together with any additional amendments proposed to be made to the bill, toward the end of 1989. The bill would pass the Assembly in January, 1990. It would be amended in the Senate to make any needed revisions, and passed by the Legislature and sent to the Governor early in 1990.

To achieve the goals outlined above, it will be necessary to devote substantially all staff resources during most of 1989 to completion of work on the new code. We need to finish up work on the recommendations to the 1989 legislative session, and the staff will, of course, need to devote some time to the 1989 legislature program. Everything else should have a lower priority than work in finishing up the new Probate Code. We anticipate that it will take the full time of all members of the legal staff during March, April, and May 1989 to meet the schedule outlined above. Accordingly, the staff requests that the Commission review its future meeting schedule.

Schedule For Work on New Probate Code

A schedule for work on the new Probate Code is attached. This schedule should be reviewed by the Commission at the February meeting.

Suggested Revised Meeting Schedule

The staff can meet the schedule for work on the new Probate Code only if some revision is made in the schedule for future meetings. We suggest the following changes.

March 1989

Meeting now scheduled for March 9 (10:00 a.m. - 6:00 p.m.) will be held only if necessary to complete work on recommendations to 1989 legislative session or to deal with problems in connection with 1989 legislative program.

April 1989

Two day meeting now scheduled for April 13 and 14 would be cut down to one day, the day to be the day that Commissioner Marzec plans to have meeting with Governor.

May 1989

Two day meeting now scheduled for May 18 and 19 would be cancelled.

Respectfully submitted,

John H. DeMouilly  
Executive Secretary

**SCHEDULE FOR WORK ON NEW PROBATE CODE**

PROJECT	SCHEDULED	COMPLETED
Introduction of bill	March 10, 1989	
Staff review of bill completed and draft prepared for amendments to bill	June 10, 1989	
Staff prepares draft of official Comments	June 10, 1989	
Commission approves substantive amendments to bill	July meeting	
Amendments sent to Legislative Counsel	July 21, 1989	
Bill amended	August 21, 1989	
Draft of Comments checked by staff and Comments sent to printer for printing	October 15, 1989	
Review of bill, as amended, completed by staff, Bar, and other interested persons	December 1, 1989	
Review of official Comments completed by staff, Bar, and other interested persons	December 1, 1989	
Commission approves bill as amended and any additional amendments	January 1990 meeting	
Report containing revised and new Comments approved by Commission	January 1990 meeting	
Bill passes Assembly	January 1990	
Bill amended in Senate to make any needed additional amendments	February 1990	
Legislative Committees approve Report containing new and revised Comments	April 1990	
Bill passes Senate; Assembly Concurrence in amendments; Bill sent to Governor	May 1990	