

First Supplement to Memorandum 93-05

Subject: Study F-1130 - Juvenile Court Law (Relocation of Juvenile
Dependency Statute--comments of Juvenile Court Judges of
California)

Attached to this supplementary memorandum is a letter from Judge Leonard P. Edwards, Chairperson of the Juvenile Court Judges of California, a section of the California Judges Association. In the past Judge Edwards has been one of the few advocates for relocating the juvenile dependency statute to the Family Code.

Judge Edwards writes that the Juvenile Court Judges of California do not favor relocation. The reasons are set out cogently in his letter.

Respectfully submitted,

Nathaniel Sterling
Executive Secretary

1st Supp. Memo 93-05

January 22, 1993

Mr. Nathaniel Sterling
 Director, California Law Revision Commission
 4000 Middlefield Road, Suite D-2
 Palo Alto, CA 94303-4739

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**Juvenile
 Court
 Judges of
 California**

*a section of the
 California Judges
 Association*

Dear Mr. Sterling:

I am writing on behalf of the Juvenile Court Judges of California (JCJC) to submit our view on the question of importing the code sections pertaining to juvenile dependency into the Family Code, to be considered at the upcoming January 28 hearing in Los Angeles.

In the same sense that court facilities handling cases of California's families may eventually be combined into single units, it may eventually be appropriate to combine the juvenile dependency, juvenile delinquency, and related code sections with those governing family law. But to do so today would be premature and unnecessary.

We endorse many of the reasons given in the October 28, 1992 letter to you from the Judicial Council Advisory Committee on Juvenile Court Law for opposing this change at this time. We share especially those practical concerns about resource diversion expressed at Number 2(e) of their letter, and the point made at their Number 4: that in the practical conduct of courts and law practices, juvenile dependency and delinquency proceedings are much more entwined than are the family law and dependency branches.

We strongly urge you not to leave the juvenile delinquency sections, already under steady pressure away from their intent and toward becoming a variety of the adult criminal justice system, alone and isolated, where they would be even more vulnerable to that pressure.

Lastly, the law governing juvenile dependency (which was thoroughly revised recently and may be about to undergo further significant revision) is already located in a fairly methodically arranged run of sections in the Welfare and Institutions Code and in commercially published compendia. Practitioners already have access to virtually all they need of the law in a single volume--which is quite unlike the situation the Law Revision Commission faced in compiling the law governing divorce, child support, domestic violence, etc., into the Family Code.

I hope these comments are valuable to you and the Commission in making your decision on January 28.

Sincerely,



Hon. Leonard P. Edwards
 Chairperson

Chairperson, Hon. Leonard P. Edwards, Santa Clara · Executive Committee: Hon. Carol K. Allen, San Luis Obispo · Hon. Francisco P. Briseno, Orange

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California Judges Association · 301 Howard Street, Suite 1040 · San Francisco, CA 94105 · (415) 495-1999 FAX (415) 974-1209