

Memorandum No. 1

Subject: Suggested schedule for completion of work on program for 1957 Session.

I think that the commission should at the March meeting decide upon a tentative schedule for completing its work on the program for the 1957 Session of the Legislature. Such a schedule is proposed herein for your consideration.

You will recall that we hope to be able to send our 1957 report, which will include all of our studies and recommendations for the 1957 Session, to the printer on or about October 1, 1956. The purpose of this is to be able to distribute it to the Members of the Legislature far enough in advance of the Session to afford those who will be interested a real opportunity to read it.

The Commission has, therefore, previously decided that its work on the 1957 program should be completed at the earliest possible date in order to afford time to circulate the studies and recommendations to interested parties for comment before they are printed. This creates a rather tight scheduling problem. To meet it I propose the following commission and committee meetings:

Meetings of Commission

<u>Date(s)</u>	<u>Agenda</u>
March 12 <i>S. 2</i>	No. 7 - Venue study. No. 10 - Penal Code § 19a. No. 4 - Law governing survival.
April 27 and 28 <i>L. 19</i>	No. 2 - Judicial notice foreign law. No. 3 - Dead Man Statute. No. 5 - Probate Code § 201.5 - marital property. No. 6 - C.C.P. § 660 - new trial orders. No. 8 - Testimonial privilege of spouses. <i>Ng. 10 - Penal Code § 19a</i>

only June 1

TES. conflict

Memorandum No. 1 (Cont'd)

Date(s)

Agenda

May 25 and 26

S.F.

- No. 11 - Corporations Code §§ 3301 and 3901 - notice to stockholders.
- No. 12 - Whether jury should have copy of instructions.
- No. 13 - C.C. P. §§ 389 and 442 - parties on cross-complaints.
- No. 15 - Attorneys fees and costs in divorce, etc. actions.

June 22 and 23

L.A.

- No. 1 - Suspension power of alienation.
- No. 9 - Penal Code §§ 1377, 1378 (technical revisions).
- No. 14 - Administrator in quiet title action (if retained on agenda).
- No. 16 - Planning commission procedure.

July 20 and 21

S.F.

- No. 18(L) - Fish and Game Code

Note: The earlier meetings have a heavier agenda than the later ones but it seems probable that there will be sufficient carry-over to assure an adequate agenda for the later meetings. The meetings (except March) are scheduled for two days each; at least some of them might be reduced to one day if we start at 9 and work steadily until 5 or 6 with a short break for lunch.

Meetings of Northern Committee

<u>Date</u>	<u>Agenda</u>
March 17	No. 2 - Judicial notice foreign law. No. 5 - Probate Code § 201.5 No. 6 - C.C.P. § 660. No. 18(L) - Fish and Game Code (possible)
April 7	Further consideration of same items as above.
May 5	No. 12 - Copy of instructions to jury. No. 15 - Attorney's fees and costs. No. 18(L) - Fish and Game Code
June 2	No. 1 - Suspension power of alienation. No. 16 - Planning commission procedure. No. 18(L) - Fish and Game Code.
July 7	No. 18(L) - Fish and Game Code.

Note: Carry-over point made above applies here.

Meetings of Southern Committee

<u>Date</u>	<u>Agenda</u>
April 14	No. 3 - Dead Man Statute No. 8 - Testimonial privilege of spouses.
May 12	<i>No. 10 - Penal Code 19 a</i> No. 11 - Corporations Code §§ 2201, 3901. No. 13 - C.C.P. §§ 389 and 442.
June 9	No. 14 - Administrator in quiet title action. No. 9 - Penal Code §§ 1377, 1378.

Note: Carry-over point made above applies here.

The chronological meeting schedule for the commission and the committees would be as follows:

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March 12	Succ	Commission
March 17	SF	Northern Committee
April 7	SF	Northern Committee
April 14	LA	Southern Committee
April 27 - 28	LA	Commission
May 5	SF	Northern Committee
May 12	LA	Southern Committee
May 25 - 26	SF	Commission
June 2	LA SF	Northern Committee
June 9	LA	Southern Committee
June 22 - 23	LA	Commission
July 7	SF	Northern Committee
July 20 - 21	SF	Commission

Attached is a current status report on all items planned for presentation at the 1957 Session.

Respectfully submitted,

John R. McDonough, Jr.
Executive Secretary

STATUS REPORT

Study No. & Committee to which referred	Subject	Present Status	Target date for completion by Commission
1 (Northern)	Suspension absolute power of alienation	Research consultant's report due April 1	June meeting
2 (Northern)	Judicial notice law foreign countries	Research consultant's report received; to be considered by Northern Committee meeting March 17	April meeting
3 (Southern)	Dead Man Statute	Research consultant's report received; to be considered by Southern Committee April meeting	April meeting
4 (Southern)	Law governing survival of actions	Committee recommendation to be considered at March meeting of Commission	March meeting
5 (Northern)	Section 201.5 Probate Code	Research consultant's report received to be considered by Northern Committee meeting March 17	April meeting
6 (Northern)	Section 660 of Code of Civil Pro- cedure - effective date new trial order	Research consultant's report received; to be considered by Northern Committee meeting March 17	April meeting
7 (Southern)	Retention venue for convenience of witnesses	Committee recommendation to be considered at March meeting of Commission	March meeting
8 (Southern)	Testimonial privilege of spouses	Staff report to be submitted by April 1	April meeting
9 (Southern)	Sections 1377 and 1378 of Penal Code	Staff report to be submitted by June 1	June meeting

Status Report (Cont'd)

Study No. & Committee to which referred	Subject	Present Status	Target date for completion by Commission
10 (Southern)	Penal Code Section 19a	Committee recommendation to be considered at March meeting of Commission	<i>April meeting</i> March meeting
11 (Southern)	Sections 2201 and 3901 of Corporations Code	Staff report to be submitted by May 1	May meeting
12 (Northern)	Whether jury to get copy instructions	Staff report to be submitted by May 1	May meeting
13 (Southern)	C.C.P. §§ 389 and 442 - parties on cross-complaint	Research consultant report overdue	May meeting
14 (Southern)	Administrator quiet title action	Commission to consider whether to continue at March meeting	June (if at all)
15 (Northern)	Procedure for awarding attorney's fees and costs in divorce, etc. actions	Staff report to be submitted by May 1	May meeting
16 (Northern)	Planning procedure when no separate planning commission	Staff report to be submitted by June 1	June meeting
17 (Northern)	Revision of Fish and Game Code	Legislative Counsel draft to be available by April 15	July meeting