

Date of Meeting: October 8, 1958  
Date of Memo: September 23, 1958

Memorandum to Members of California Law Revision Commission  
and of State Bar Committee to Consider Uniform Rules of Evidence.

Re: Matters for Discussion at Joint Meeting

Attached are : (1) a copy of the portion of the minutes of the Law Revision Commission's meeting of September 6, 1958, which reports action taken on the Uniform Rules of Evidence; (2) an up-to-date Summary of Action taken by the Commission and the State Bar Committee on the Rules and parts thereof relating to heresay. What is shown in the Summary may be stated as follows:

1. The Commission and the State Bar Committee are now in complete agreement on 14 Rules or parts thereof relating to heresay:

Rule 63 (Opening Paragraph)

Rule 63, Subdivisions (5)	(22)
(8)	(23)
(11)	(25)
(17)	(26)
(18)	(27)
(19)	(28)

Rule 66

2. Both groups are also in agreement in principle on 8 additional Rules or parts thereof but there is as to these not yet complete agreement as to the form which the provision should take:

Rule 63, Subdivisions (2)	(13)
(3)	(14)
(7)	(24)
(9)	(29)

3. There is some disagreement in principle between the two groups as to 5 Rules or parts thereof:

Rule 63, Subdivisions	{1}	{10}
	{4}	{20}
	{6}	

As to all of these the Commission has made proposals at its meetings of July 19 and September 6 which it is hoped will be acceptable to the State Bar Committee. It is believed that none of these proposals has yet been considered by either Section of the Committee.

Finally, there are 9 Rules or parts thereof which for one reason or another do not fall into any of the foregoing categories. In the case of several of these, as is shown, some person or group has been assigned the responsibility of making a report and recommendation at the time of the October meeting:

Rule 62	(Commission staff and Research Consultant to file reports)
Rule 63 (12)	(Messrs. Barker, Kaus, Kadison and Selvin to file report)
Rule 63 (15)	(Commission staff report enclosed to State Bar Committee members)
Rule 63 (16)	(Commission staff report enclosed to State Bar Committee members)
Rule 63 (21)	(Messrs. Hayes and Patton to file report)
Rule 63 (30)	(Messrs. Hayes, Hoberg, Kaus and Selvin to file report)
Rule 63 (31)	(Messrs. Hayes, Hoberg, Kaus and Selvin to file report)
Rule 64	

Rule 65

(Messrs. Baker and Patton to  
file report)

Respectfully submitted,

John R. Mc Donough, Jr.  
Executive Secretary