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5/6/86

Memorandum 86-44

Subject: Study L - Assembly Bill 2625 (Comprehensive Probate Bill)

Attached is a copy of Assembly Bill 2625 in its latest amended form. The bill was approved by the Assembly Committee on Judiciary in this form.

The bill includes all the amendments approved by the Commission except that it retains the operative date of July 1, 1986. At the Assembly Committee on Judiciary hearing, the representative of the Judicial Council informed me that the Judicial Council would oppose the bill if the operative date were changed to January 1, 1986. If the date is July 1, 1986, the bill is a "consent bill."

I advised the representative of the Judicial Council that the State Bar Section had advised the Commission that the Judicial Council person in charge of forms had agreed to the January 1, 1986, operative date. I was advised that the Judicial Council does not agree to the January 1, 1986, operative date, and that apparently there is a misunderstanding on the part of the State Bar Section. If the Judicial Council forms are actually drafted before the bill is heard by the Senate Judiciary Committee there is a chance that we might be able to amend the bill to make the operative date January 1, 1986.

Please bring this Memorandum and the attached bill to the meeting so that the bill will be available for reference if additional amendments to Assembly Bill 2625 are suggested at the meeting.

Respectfully submitted,

John H. DeMouilly
Executive Secretary