Memorandum 87-11

Subject: Study L – Probate Code – Assembly Bill 708

Assembly Bill 708 was introduced by Assembly Member Harris to effectuate the recommendations of the Commission relating to probate law. We plan to include in this bill all the recommendations the Commission will make to the 1987 session relating to probate except for the technical revisions in the trust law.

We plan to make a great number of amendments to Assembly Bill 708 and to have the bill reprinted before it is set for hearing by the Assembly Judiciary Committee. We plan to prepare a number of memorandums relating to the various aspects of probate law that are dealt with in Assembly Bill 708. In some cases the proposed amendments to the bill will merely make the bill conform to the Commission's recommendation. In other cases, the proposed amendments will make technical changes or corrections. And, in other cases, the proposed amendments will add new provisions to the bill so that it will cover matters not covered in the bill as introduced.

We believe that you will find it most efficient to review each portion of the bill when you consider the memorandum presenting the proposed amendments to that portion. It will be a substantial undertaking to review the proposed amendments. Accordingly, we suggest that you carefully review the proposed amendments as each memorandum is received. We do not plan to discuss each proposed amendment at the meeting. With respect to the great majority of the amendments, we will rely upon your review of the amendments prior to the meeting. At the meeting you can bring up for discussion any of the amendments you believe should be discussed and the staff and the representatives of interested groups will also bring up particular amendments for consideration and discussion at the meeting. This procedure will require a significant amount of your time prior to the meeting, but it should expedite consideration of the proposed amendments at the meeting.

Respectfully submitted,

John H. DeMoully
Executive Secretary