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07/02/87

Memorandum 87-64

Subject: New Topic Suggested by California Judges Association

A number of persons have written suggesting topics for study by the Law Revision Commission. These suggestions will be considered by the Commission when time permits. However, the staff believes that the Commission should consider the attached letter (other side of page) at the July meeting and determine what response should be made to the California Judges Association.

Respectfully submitted,

John H. DeMouilly
Executive Secretary

CALIFORNIA JUDGES ASSOCIATION

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July 1, 1987

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Mr. John H. DeMouilly
Executive Secretary
California Law Revision Commission
4000 Middlefield Road, Suite D-2
Palo Alto, CA 94303

Dear Mr. DeMouilly:

The California Judges Association notes that there are many provisions throughout the Codes relating to the payment of attorney fees and the shifting of fees between litigants. There are many important policy considerations behind the shifting of fees, and the decisions made on fees affect the filing of cases and the workload of the courts.

As president of the California Judges Association, I request that the California Law Revision Commission make a comprehensive survey of attorney fee provisions in the Codes and the shifting of fees between the parties, so that a consistent and rational plan for the payment and shifting of fees and the consequences thereof can be ascertained.

Thank you for your cooperation. I look forward to your response.

Very truly yours,



Elwood Lui
President

EL: gk