

**First Supplement to Memorandum 94-19**

**Administrative Adjudication: Comments on Tentative Recommendation  
(comments of California Attorneys for Criminal Justice  
and California Deuce Defenders)**

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Memorandum 94-19 includes letters from several members of the criminal defense bar concerned particularly about the provision of proposed Section 643.330 that would exempt Department of Motor Vehicles drivers' license hearings from separation of functions requirements. See discussion at pages 29-30 of the memorandum.

The memorandum neglects to point out that the letter from Richard A. Hutton (Exhibit pp. 213-219) is written on behalf of the California Attorneys for Criminal Justice (an organization of 2500 attorneys) and that the letter from Ed Kuwatch (Exhibit pp. 220-227) is written on behalf of the California Deuce Defenders (an organization of 140 attorneys). See the letter from Mr. Kuwatch attached to this supplement as an Exhibit.

Respectfully submitted,

Nathaniel Sterling  
Executive Secretary

# KUWATCH LAW OFFICES

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April 21, 1994

Nathaniel Sterling, Esq.  
California Law Revision Commission  
4000 Middlefield Rd., Ste D-2  
Palo Alto CA 94303

Re: Memorandum 94-19

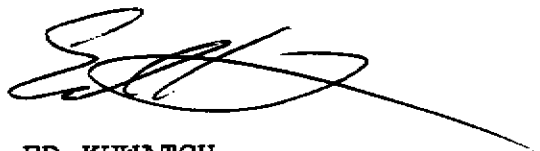
Dear Mr. Sterling:

I am writing to regarding what appears to be a clerical error in the above-referenced memorandum. The first sentence of my comment letter made it clear that I was writing on behalf the **California Deuce Defenders**, yet the cover letter for this memorandum shows my name as a commenter and doesn't mention the organization of 140 attorneys that I speak for. Likewise, Richard Hutton wrote on behalf of the **California Attorneys for Criminal Justice**, but only his name is mentioned, not the organization of 2500 attorneys he represents. I guess however made up the list just looked at the letterheads. But if it's important enough to list the names of commenters so that one may scan the list to see who is interested, it is important to get the list right. **Readers should not think that the entire criminal defense bar has no interest in these matters.**

One might think that this oversight is insignificant, and I would agree with that assessment, if our very well-considered comments had been incorporated into the Law Revision Commission's recommended statutory language. But our comments did not have that effect and we would not want the casual reader to think that 642.320 went entirely unchallenged by the entire state's criminal defense bar.

Could you please send all recipients of this memorandum a corrected cover page showing our organizations as commenters?

Sincerely,



ED KUWATCH

cc: Richard Hutton, Esq.