

Memorandum 2003-24

**Authority of Court Commissioners
(Comments on Tentative Recommendation)**

The Commission has circulated for comment its Tentative Recommendation on *Authority of Court Commissioner* (March 2003). The proposal would modernize Code of Civil Procedure Section 259 by (1) eliminating obsolete provisions such as those relating to notarial functions of a court commissioner and (2) conforming the provision for appointment of a court commissioner as a temporary judge with the California Constitution.

We sent the proposal to the California Court Commissioners Association and to the Los Angeles County Superior Court (which has been concerned with this matter in the past), as well as to our standard distribution list of persons and organizations interested in judicial procedure. We received no new comments on the tentative recommendation. (Representatives of the Court Commissioners Association and the Los Angeles Superior Court have previously indicated, informally, that they are satisfied with the proposal in its present form.)

The staff recommends that the Commission adopt the tentative recommendation as its final recommendation and submit it to the Legislature for possible enactment in the 2004 legislative session.

Respectfully submitted,

Nathaniel Sterling
Executive Secretary