

Admin.

January 18, 2022

First Supplement to Memorandum 2022-3

New Topics and Priorities

In response to the discussion of her suggestion in Memorandum 2022-3,¹ Mary Madeline DeLPonti reached out to provide further comment. Her latest communication is attached to this supplement.

Respectfully submitted,

Kristin Burford
Staff Counsel

1. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission's website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission's staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

EMAIL FROM MARY MADELINE DELPONTI
(1/14/22)

Good Evening Ms. Burford,

I regret I am unable to attend the Commission's discussion on the 20th and I appreciate your attention and interest in my recommendations for reform to the administration of trusts but strongly disagree with the staff recommendation against undertaking "a study of this weighty and wide-ranging topic."

Everyone dies. Probate cases have increased in LA County over 20% in the last few years. In California, for example, filing totals for the last recorded year lists the number at 49,221 cases per the report submitted by the Judicial Council of California, 2020.

I have also reached out to Congressman Lieu. An assistant from Congressman Lieu's office contacted me this morning and is passing on my information to the Ways and Means Committee. She also suggested I contact representative Assembly Member Al Muratsuchi which I have done as well.

I continue to research the topic of trust administration and all the ways in which trusts are easily violated. I've come to the determination a trust means absolutely nothing, but there are remedies and several avenues for corrections.

One safeguard, DocuSign, is already in place but needs to be mandatory and enforceable.

I spoke with a representative from DocuSign who said the legal industry is one of their largest clients. In addition to ensuring signatures are valid, DocuSign also requires ID verification and safeguards which I believe would have protected me in the administration of my father's trust.

In addition to DocuSign, there is ID.me. This process is an additional safeguard in preventing identity theft and ensuring documents reach the correct individual.

We are Californians. We do not shy away from hard work. We do not shrink from weighty issues or wide-ranging topics. We sink our teeth into them and create legislation for the country to emulate. "As California goes, so goes the country."

Californian's will benefit from Senate Bill 2 on Police Reform, Senate Bill 62 on Workers' Rights and the very contentious Senate Bill 9. Because it's difficult does not mean we table it. We work and we work until we get the job done. That's who we are. That's why we are the greatest state in the nation. That's why I am proud to be a Californian. That's why I will not give up on this cause.

Please include my comments for the meeting.

Thank you for your time and service to our state and to our country. It is most appreciated.

Sincerely,

Mary Madeline DelPonti