
MINUTES OF MEETING
CALIFORNIA LAW REVISION COMMISSION
AUGUST 2, 2013
LOS ANGELES

A meeting of the California Law Revision Commission was held in Los Angeles on August 2, 2013.

Commission:

Present: Xochitl Carrion, Chairperson
Damian Capozzola, Vice-Chairperson
Diane Boyer-Vine, Legislative Counsel
Taras Kihiczak
Victor King
Susan Duncan Lee
Crystal Miller-O'Brien

Absent: Judge Patricia Cowett (ret.)
Assembly Member Roger Dickinson
Senator Ted Lieu

Staff: Brian Hebert, Executive Director
Barbara Gaal, Chief Deputy Counsel
Kristin Burford, Staff Counsel

Consultants: None

Other Persons:

John Andrusko
John P. Chamberlain
Suzanne V. Chamberlain
Esther Epstein
Jeff Kichaven
Jayne Lee, State Bar Trusts and Estates Section, Executive Committee
Elizabeth Moreno
Deborah Blair Porter

1 not attempt to weigh competing interests or recommend any
2 particular approach.

3 STUDY L-750 — UNIFORM ADULT GUARDIANSHIP AND
4 PROTECTIVE PROCEEDINGS JURISDICTION ACT

5 The Commission considered Memorandum 2013-40, discussing changes that
6 other jurisdictions have made to Articles 1 and 2 of the Uniform Adult
7 Guardianship and Protective Proceedings Jurisdiction Act (UAGPPJA). (Future
8 memoranda will discuss changes made to the other articles of UAGPPJA.)

9 The Commission directed the staff to prepare further analysis of the following
10 changes made to UAGPPJA in other jurisdictions:

- 11 • The change to Section 103 made in Maryland, which requires
12 courts to make a determination that a foreign country offer
13 substantive due process protections before treating that country as
14 a state under certain UAGPPJA provisions (as discussed on pages
15 8-9 of the memorandum). The staff's analysis of that change will
16 discuss the extent to which the issue has been addressed in other
17 uniform acts enacted in California.
- 18 • The change to Section 206 made in Idaho, which expands one of
19 the factors that a court must consider when determining whether it
20 is an appropriate forum. Specifically, Idaho modifies the factor
21 related to abuse, neglect, and exploitation to include situations
22 where there is *a reason to suspect* that abuse, neglect, or exploitation
23 has occurred (as discussed on page 23 of the memorandum).
- 24 • The change to Section 207 made in Connecticut, which adds
25 medical examination expenses to the list of expenses that courts
26 are authorized to assess against a party that invoked the court's
27 jurisdiction through unjustifiable conduct (as discussed on page 24
28 of the memorandum).
- 29 • The change to Section 208 made in Ohio, which clarifies who is
30 responsible for providing notice to persons entitled to notice in the
31 respondent's home state (as discussed on page 26 of the
32 memorandum).

33 The analysis described above will be presented when the Commission
34 considers public comments on the tentative recommendation on *Uniform Adult*
35 *Guardianship and Protective Proceedings Jurisdiction Act*.

1 Wildlife Code, near the provisions to which they relate. See Minutes (June 2013)
2 p. 16.

3 **Inter-Jurisdictional Compacts**

4 The Commission considered Memorandum 2013-38 and approved the
5 attached draft.

APPROVED AS SUBMITTED

Date

APPROVED AS CORRECTED
(for corrections, see Minutes of next meeting)

Chairperson

Executive Director