A meeting of the California Law Revision Commission was held in Sacramento on June 12, 2014.

**Commission:**

*Present:*
- Damian Capozzola, Chairperson
- Victor King, Vice Chairperson
- Diane F. Boyer-Vine, Legislative Counsel
- Judge Patricia Cowett (Ret.)
- Taras Kihiczak
- Susan Duncan Lee
- Crystal Miller-O’Brien

*Absent:*
- Xochitl Carrion
- Assembly Member Roger Dickinson
- Senator Ted Lieu

**Staff:**
- Brian Hebert, Executive Director
- Barbara Gaal, Chief Deputy Counsel
- Kristin Burford, Staff Counsel
- Steve Cohen, Staff Counsel
- Heather Zimmerman, King Hall Fellow

**Consultants:**
- None

**Other Persons:**
- Brandon Castillo, Capitol Television News Service
- Bill Chan
- Lawrence Doyle, Conference of California Bar Associations
- Jim Ewert, California Newspaper Publishers Association
- Daniel Felizzatto, Los Angeles District Attorney’s Office
- Ron Kelly
- Eileen Kim, Los Angeles District Attorney’s Office
- James Madison, California Dispute Resolution Council
- Janet Martinez, Stanford Law School
- Aimee McKinney, Capitol Television News Service
- Scott Merrill, California Newspaper Publishers Association
- Elizabeth Dietzen Olsen, Senate Office of Research
Memorandum 2014-19 presented a draft of the Minutes of the April 10, 2014, Commission meeting. The Commission approved the Minutes, without change.

ADMINISTRATIVE MATTERS

Report of Executive Director

The Executive Director reported on the following matters:

- The Executive Director and Chairperson were invited to attend a February 2015 event commemorating the thirtieth anniversary of the Davis-Stirling Common Interest Development Act. The Commission will be recognized for its work to improve the law on common interest developments.
- Commissioner Miller-O’Brien will make arrangements for meeting space for the September 5, 2014, meeting.
- The Commission rescheduled its October 23, 2014, meeting to be held on October 30, 2014.
- There is no known change to the Commission’s proposed budget for 2014-15.

The Executive Director recognized Heather Zimmerman, a second-year law student at King Hall School of Law, currently serving the Commission as its King Hall Fellow.
2014 LEGISLATIVE PROGRAM

The Commission considered Memorandum 2014-20, reporting on the Commission’s 2014 legislative program. The Commission made the following decisions:

- **AB 1798 (Committee on Public Safety), relating to deadly weapons.** The Commission assented to the possible insertion of a "subordination clause" into the bill and a minor technical amendment proposed by the Senate Committee on Public Safety. Neither change required revision of the Commission’s Comments.

- **AB 2747 (Committee on Judiciary), relating to technical corrections.** The Commission assented to a minor technical amendment proposed by the Office of Legislative Counsel. That change did not require revision of the Commission’s Comments.

- **SB 940 (Jackson), relating to the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act.** The Commission ratified the Chair’s approval of the amendments discussed in the memorandum. The Commission approved the Comment revisions shown on pages 5-9 of the memorandum, subject to deletion of a duplicative phrase in the Comment to proposed Probate Code Section 2013. The Commission approved in concept any additional Comment revisions necessary to reflect renumbering of provisions in the bill. The Commission instructed the staff to make such Comment revisions as needed.

STUDY G-300 — STATE AND LOCAL AGENCY ACCESS TO CUSTOMER INFORMATION FROM COMMUNICATION SERVICES PROVIDERS


In general, no Commission action was required or taken with respect to the memoranda. However, on a related point, the Commission directed the staff to prepare a memorandum revisiting the scope of the Commission’s mandate and authority in this study, to be considered at a future meeting. In particular, the Commission asked for analysis of the Commission’s authority to study the following matters:

(1) The responsibilities of a communication service provider when presented with a government request for customer information.
(2) Private party access to customer information of a communication service provider.

(3) A police search of a cell phone.

STUDY J-1314 — TRIAL COURT UNIFICATION: PUBLICATION OF LEGAL NOTICE

The Commission considered Memorandum 2014-25, relating to notice publication in a judicial district. The Commission directed the staff to prepare a draft tentative recommendation based on the “Improved Status Quo” approach discussed in the memorandum and set out in the first discussion draft attached to the memorandum. The Commission made the following decisions about the content of the draft tentative recommendation:

- The Judicial Council should be charged with researching and publishing the district boundaries.
- Proposed Government Code Section 6082 should include the sunset clause shown in the discussion draft.
- In Revenue and Taxation Code Section 3381, the term “judicial district” should be replaced with “publication district.”
- Code of Civil Procedure Section 38 should be revised along the lines shown in the discussion draft.

In addition, the staff will research the “judicial district” reference in Government Code Section 24052 to determine if the section needs to be amended.

STUDY K-402 — RELATIONSHIP BETWEEN MEDIATION CONFIDENTIALITY AND ATTORNEY MALPRACTICE AND OTHER MISCONDUCT

The Commission considered Memorandum 2014-24, relating to implementation of the Uniform Mediation Act. The Commission also considered Memorandum 2014-27 and its First Supplement, relating to new developments and recent communications. No Commission action was required or taken.

STUDY R-100 — FISH AND GAME LAW

The Commission considered Memorandum 2014-26 and its First Supplement, which presented a staff draft tentative recommendation on Fish and Game Law: Technical Revisions and Minor Substantive Improvements (Part 1).
The Commission approved the draft as a tentative recommendation to be circulated for public comment.

☐ APPROVED AS SUBMITTED

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

_________________________________________ Date

_________________________________________ Chairperson

_________________________________________ Executive Director