

CALIFORNIA LAW REVISION COMMISSION

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NEWS RELEASE
May 20, 2005
For Immediate Release

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Enforcement of Judgments under the Family Code

Request for Public Comment

The Law Revision Commission seeks public comment on its proposal to replace the current rule for enforcement of judgments under the Family Code with a single rule providing that any judgment under the Family Code is enforceable until satisfied in full. This would have no effect on existing law governing the enforcement of a judgment after the death of a debtor or creditor.

Existing law has three different rules for the enforcement of a judgment under the Family Code: a judgment for support is enforceable until paid in full, a judgment for possession or sale of property is enforceable for ten years (with the option to extend the enforcement period through renewal of the judgment), and all other judgments are enforceable at the discretion of the court. The multiplicity of rules is potentially confusing and can lead to inequitable results.

The special character of family law disputes and the prevalence of self-represented parties in family law proceedings argue in favor of the simplified approach of the proposed law. The proposed law would also delete an apparently unneeded provision precluding enforcement of a Family Code order in a limited civil case.

The tentative recommendation is available from the California Law Revision Commission, 4000 Middlefield Road, Room D-1, Palo Alto, CA 94303-4739. The tentative recommendation is also available at the Commission's website (www.clrc.ca.gov) in the pull-down "Reports" menu.

The Commission often substantially revises its recommendations as a result of public comment. To receive timely consideration, comments should be submitted by **August 15, 2005**.

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