

STATE OF CALIFORNIA

# **CALIFORNIA LAW REVISION COMMISSION**

RECOMMENDATION

Statutes Made Obsolete by  
Trial Court Restructuring: Part 1

March 2002

California Law Revision Commission  
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## SUMMARY OF RECOMMENDATION

In the late 1990's, California's trial court system was substantially restructured through state funding of trial court operations, trial court unification, and reforms relating to trial court employment. As a result, hundreds of statutes are now obsolete. The Law Revision Commission proposes amendment or repeal of obsolete provisions to reflect the restructuring of the trial court system.

In addition to the numerous revisions proposed in this recommendation, other statutes require amendment or repeal but are not included here because stakeholders have not yet reached agreement on key issues, further research is necessary in light of the complexity of the law, or additional time is required to prepare appropriate revisions due to the sheer volume of statutory material involved. The Commission will continue its review of statutes made obsolete by trial court restructuring with the objective of recommending further cleanup of the statutes from time to time.

This recommendation was prepared pursuant to Government Code Section 71674.

## STATUTES MADE OBSOLETE BY TRIAL COURT RESTRUCTURING: PART 1

### INTRODUCTION

The Legislature has directed the Law Revision Commission to recommend the repeal of statutes made obsolete by trial court funding reform, trial court unification, and trial court employment reform.<sup>1</sup> The recommendation was due January 1, 2002.<sup>2</sup>

The Commission submits this recommendation in fulfillment of the legislative directive. In addition to the numerous revisions proposed, many other statutes require amendment or repeal, but are not included in this recommendation because (1) stakeholders have not yet reached agreement on key issues, (2) further research is required due to the complexity of the law, or (3) additional time is required to prepare appropriate revisions due to the sheer volume of statutory material involved.

For these reasons, the Commission recommends that the January 1, 2002, deadline be removed from the statute. Elimination of the deadline will allow the Commission to continue its work in this area and recommend further cleanup of the statutes from time to time.

### METHODOLOGY

The body of existing statutory material affected by trial court restructuring is immense. Nearly every provision of Title 8 of the Government Code, relating to the organization and government of the courts, requires review and evaluation. That title alone occupies several volumes of the annotated codes, comprising more than 2,000 statute sections.<sup>3</sup> Trial court restructuring also affects provisions in other parts of the Government Code and in other codes, particularly the Code of Civil Procedure and Penal Code.

To handle this massive amount of statutory material, the Commission has dealt with it thematically, by systematically examining different classes of provisions: statutes dealing with the number of judges, statutes dealing with court clerks, statutes dealing with official reporters, statutes unique to a specific county, and the like. The Commission prepared preliminary drafts relating to each topic and sent

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1. Gov't Code § 71674. The directive is part of the Trial Court Employment Protection and Governance Act, operative January 1, 2001.

2. Legislation was introduced on January 7, 2002 (ACA 15), and January 24, 2002 (SB 1316), to implement the Commission's tentative recommendations.

3. The reasons for this are historical. The California Constitution provides that the Legislature must prescribe the number, qualifications, and compensation of municipal court judges, officers, and employees, as well as provide for the officers and employees of the superior courts. Cal. Const. art. VI, §§ 4, 5.

them to interested persons and organizations for review and comment. Drafts were circulated to courts, counties, labor unions, professional associations, the Administrative Office of the Courts, and state bar committees, among others.

After reviewing comments and making appropriate adjustments in the drafts, the Commission assembled all of the material into a comprehensive document — the Tentative Recommendation on *Statutes Made Obsolete by Trial Court Restructuring* (November 2001). The tentative recommendation was publicized and circulated for comment before the Commission adopted this final recommendation.

The recommended statutory changes are proposed for enactment during 2002, to become operative on January 1, 2003. The proposed constitutional revisions would become operative on approval by the voters.

## BACKGROUND

The restructuring of the trial court system during the late 1990's was monumental. It included (1) the state's assumption of responsibility for trial court funding, (2) unification of the justice courts, municipal courts, and superior courts, and (3) transfer of control of trial court employment to the courts.

These enactments override an extensive statutory structure that is now at odds with the governing law. To date, the only systematic effort to conform existing statutes to the new law is the Law Revision Commission's overhaul of the codes in 1998 to accommodate trial court unification.<sup>4</sup> Even that effort is incomplete, since municipal courts still existed at the time.<sup>5</sup> County-specific statutes dealing with individual municipal courts in the various counties were not addressed at that time, pending resolution of employment issues. Many statutes still reflect the dual court system.

### **Trial Court Funding**

The major event in trial court funding reform was enactment of the Lockyer-Isenberg Trial Court Funding Act of 1997.<sup>6</sup> That legislation consolidated funding of the trial courts at the state level.

Under the new system, the state has assumed full responsibility for funding trial court operations. The Judicial Council annually submits a trial court budget to the Governor for inclusion in the state budget, which is intended to meet the needs of all trial courts. The Judicial Council administers the budgetary allotment by making payments to the courts.

The counties annually make a contribution to the state, based on fiscal year 1994-95 levels, with a mechanism for adjustment to correct inequities. The coun-

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4. *Trial Court Unification: Revision of Codes*, 28 Cal. L. Revision Comm'n Reports 51 (1998). See 1998 Cal. Stat. ch. 931; see also 1999 Cal. Stat. ch. 344.

5. Unification proceeded on a county-by-county basis. The last remaining municipal courts were eliminated on February 8, 2001, when the courts in Kings County unified.

6. 1997 Cal. Stat. ch. 850. See generally Gov't Code §§ 77000-77655.

ties are required to continue funding court facilities and court-related costs that are not considered part of court operations, such as indigent criminal defense, pretrial release, and probation costs.

The funding reform also contemplates a decentralized system of trial court management. The Judicial Council is required to adopt rules of court to promote such a system.

To the extent that existing statutes are inconsistent with this scheme, they need to be reformed. For example, some statutes still vest control over court operations in county boards of supervisors. These statutes are inconsistent with the concepts of state control of trial court funding and court control of court operations. However, county control of some of these matters may still be appropriate. It is necessary to treat the issues on a section-by-section basis.

### **Trial Court Unification**

The California Constitution was amended in 1998 to permit the municipal and superior courts in each county to unify.<sup>7</sup> As of February 8, 2001, the courts in all of California's 58 counties have unified.

Although many of the key statutes have been revised to accommodate trial court unification, several significant chores remain in the wake of unification. Now that all courts have unified, the general statutes should be cleared of remnants relating to the former municipal courts. In addition, various county-specific statutes relating to individual municipal courts must be repealed or recast. To a large extent, this involves eliminating superseded employment statutes. Finally, civil and criminal procedures and appellate processes must be reviewed to ensure their proper functioning in a unified court environment. The Commission is conducting this review as a project separate from the cleanup of obsolete provisions.

### **Trial Court Employment Protection and Governance**

The Trial Court Employment Protection and Governance Act was adopted effective January 1, 2001.<sup>8</sup> It establishes the basis for a new personnel system for employees of California's trial courts. Under the act, trial court employees become employees of the court, instead of the state or county. Employees may be considered county employees for the purpose of certain benefits. The local court is given control over budget and personnel decisions.

The act maintains employees' current classifications and salaries, and current levels of benefits. It provides discipline for cause and due process hearing procedures as part of the employment protection system. It establishes a personnel system based on merit, for purposes of employment selection and advancement. It does not alter the means by which memoranda of understanding and personnel policies, procedures, and plans are modified.

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7. Cal. Const. art. VI, § 5(e).

8. See Gov't Code §§ 71600-71675.

More than half of Title 8 of the Government Code (organization and governance of courts) is devoted to detailed statutes governing employment in former municipal courts. These statutes have been rendered largely obsolete by the enactment of trial court funding, unification, and employment reforms. Most of them are ripe for repeal.

## SPECIFIC ISSUES

Due to the volume of obsolete statutory material proposed for amendment or repeal, it is impractical to detail here every type of revision being proposed. For each section being revised, the Commission has prepared a Comment citing relevant constitutional or statutory provisions relating to trial court restructuring. The general approach proposed for certain types of statutes, and the proposed resolution of key substantive issues, are described below.

### **California Constitution**

A number of provisions of the California Constitution reflect a trial court structure that includes municipal courts.<sup>9</sup> The constitutional provisions should be amended to reflect unification of the trial courts.

The proposed legislation includes a deferred operative date for repeal of Article VI, Section 23, of the Constitution. That provision contains transitional provisions for trial court unification. Most of the transitional provisions have little effect now that unification is complete, and in any event there remain statutory transitional provisions that are more comprehensive.<sup>10</sup> However, to ensure that former municipal court judges who became superior court judges through unification continue to be qualified to serve,<sup>11</sup> the transitional provision would remain in effect until the January 1 that falls five years after the last court unified (i.e., January 1, 2007).

### **Judges**

The California Constitution requires the Legislature to prescribe the number of judges in each county.<sup>12</sup> The Legislature has prescribed the number of judges in various counties,<sup>13</sup> but the statutes are incorrect as a result of unification of the courts.<sup>14</sup>

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9. See Cal. Const. art. VI, §§ 1 (judicial power), 5 (municipal court), 6 (Judicial Council), 8 (Commission on Judicial Performance), 10 (original jurisdiction), 15 (qualifications of judges), 16 (election of judges), and 23 (transitional provision).

10. See Gov't Code §§ 70200-70218.

11. Article VI, Section 15, of the California Constitution provides a five-year bar membership or judicial service requirement for municipal court judges and a 10-year bar membership or judicial service requirement for superior court judges.

12. Cal. Const. art. VI, §§ 4, 5.

13. Gov't Code §§ 69580-69615 (superior court), 72600-74997 (municipal court).

14. On unification of the superior and municipal courts in a county, the previously selected municipal court judges become superior court judges. Cal. Const. art. VI, § 23(b); Gov't Code § 70211(a). Until

As part of this project, the Commission recommends that the statutes be corrected to conform to the actual number of superior court judgeships in each county after unification with the municipal courts. The corresponding municipal court statutes should be repealed.

The proposed legislation would preserve provisions governing the timing of elections of municipal court judges,<sup>15</sup> subject to a sunset date of January 1, 2008. Although previously selected municipal court judges became superior court judges upon unification, the terms of office of some of these judges are still governed by the municipal court statutes.<sup>16</sup> Absent unusual circumstances, this transitional situation should end by January 2007. Setting the sunset date to take effect on January 1, 2008, would allow time to repeal the sunset provision should any unusual circumstance occur (e.g., election of a successor who fails to take office).

Many statutes refer to “the judge” or judges of the superior court, to the presiding judge or “senior judge” of the court, or to the presiding judge or “sole judge” of the court.<sup>17</sup> Every superior court now has a presiding judge<sup>18</sup> and, as a result of unification, every superior court has at least two judgeships. The proposed legislation would clean up language reflective of an earlier era.<sup>19</sup>

### **Subordinate Judicial Officers**

The California Constitution authorizes the Legislature to provide for subordinate judicial officers.<sup>20</sup> Subordinate judicial officers include commissioners and referees. The Legislature has provided for subordinate judicial officers through a number of statutes.<sup>21</sup>

The Trial Court Employment Protection and Governance Act has established far-reaching provisions relating to subordinate judicial officers that eclipse much of existing law relating to authorization and appointment of subordinate judicial officers.<sup>22</sup> In enacting this statute the Legislature has exercised its constitutional

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revised by statute, the total number of judgeships in the unified superior court equals the previously authorized number of judgeships in the municipal court and superior court combined. Gov’t Code § 70211(a).

15. Gov’t Code §§ 71141, 71143, 71144, 71145, 71145.1, 71180.

16. Gov’t Code § 70211(b).

17. See, e.g., Code Civ. Proc. § 404.9; Gov’t Code §§ 23396, 68115, 68546, 69753, 71341, 72190, 72190.1, 72190.2, 72196; Penal Code §§ 924.4, 6031.1; Welf. & Inst. Code § 1737.

18. Gov’t Code §§ 69508, 69508.5 (presiding judge).

19. Code of Civil Procedure Section 75 provides that in a one-judge county, the court may provide by rule that where the judge is absent on assignment, a noncontested matter may be deemed submitted on filing a statement of submission with the clerk. The proposed legislation would expand this provision to permit a statement of submission whenever all judges are absent from the county, regardless of the number of judges in a county or the reason for the judges’ unavailability.

20. Cal. Const. art. VI, § 22 (“The Legislature may provide for the appointment by trial courts of record of officers such as commissioners to perform subordinate judicial duties.”).

21. See, e.g., Gov’t Code §§ 70140-70148 (court commissioners).

22. Gov’t Code § 71622. A temporary judge is considered a subordinate judicial officer for purposes of the Trial Court Employment Protection and Governance Act. See Gov’t Code § 71601(i).

authority to “provide for” appointment of subordinate judicial officers by delegating the matter to the courts, subject to the control of the Judicial Council. This renders obsolete much of the existing statutory structure relating to subordinate judicial officers, and it should be repealed.<sup>23</sup>

### **Court Clerks**

Many statutes relating to trial court operations involve the county clerk. These statutes date from an era when the county clerk was ex officio clerk of the superior court.<sup>24</sup>

These statutes are now obsolete. Pursuant to statutory authority,<sup>25</sup> every superior court now has an executive or administrative officer who serves as court clerk. Moreover, the shift of trial court funding from the county to the state<sup>26</sup> renders inappropriate statutes that impose court-related duties on the county clerk. The proposed legislation revises statutes designating the “county clerk” as the relevant officer for court-related functions. These provisions would refer instead to the “court clerk.” The statutes will operate satisfactorily regardless of whether the particular function is performed by the county clerk, court executive officer, or another court appointee.<sup>27</sup>

### **Official Reporters**

The Legislature has enacted an extensive body of law governing official reporters and official reporters pro tempore in each county. Issues covered include appointment, tenure, compensation, benefits, and the like.<sup>28</sup> The statutes are remarkably detailed and diverse.

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23. Many general and county-specific statutes limit or prohibit the practice of law by subordinate judicial officers. See, e.g., Gov’t Code §§ 70141.1 (superior court commissioner in El Dorado County), 70142 (superior court commissioners), 72190 (municipal court commissioners), 72450 (municipal court traffic trial commissioners), 74703(e) (temporary municipal court traffic referees in Sonoma County), 74925 (municipal court commissioner in Tulare County), 74982(d) (part-time municipal court commissioners in Shasta County). These provisions would be replaced by a general prohibition on the practice of law by subordinate judicial officers appointed under the authority of Article VI, Section 22, except to the extent permitted by Judicial Council rules. See proposed Gov’t Code § 69917 (practice of law by subordinate judicial officers).

Likewise, the general authority in Government Code Section 72190 to hire court commissioners as retired annuitants would be retained, thus permitting the repeal of duplicative county-specific provisions. See Gov’t Code §§ 70141.10 (Marin County), 70142 (Los Angeles County), 74908 (Ventura County).

24. See, e.g., former Cal. Const. art. VI, § 4.

25. Gov’t Code §§ 26800, 69898, 71620(b).

26. See Gov’t Code § 77200.

27. The proposed law would make clear the authority of the court to appoint a deputy court clerk who has the authority of a court clerk, just as a deputy county clerk has the authority of a county clerk. See proposed Gov’t Code § 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court) and the proposed revision of Gov’t Code § 71620 (trial court personnel).

28. See, e.g., Gov’t Code §§ 69941-69959 (general provisions governing superior court reporters throughout state).

To a large extent these provisions are superseded by the Trial Court Employment Protection and Governance Act. For example, statutes providing that superior court or municipal court official reporters hold office “during the pleasure” of the appointing court, as well as municipal court statutes providing civil service protections to official reporters, are generally superseded by the employment protection provisions of the new law.<sup>29</sup>

It should be noted, however, that not all official reporters are court employees, particularly those appointed as official reporters *pro tempore*. Official reporters who are not court employees may be subject to different governing principles than those who are employed by the court.

Moreover, some provisions governing official reporters cannot necessarily be considered obsolete. General statutes dealing with fees and allocation of costs, for example, appear to reflect deliberate policy choices regarding not only compensation of court reporters, but also the costs of court reporting to the court and to the parties.<sup>30</sup> These provisions should be preserved.<sup>31</sup>

Several issues relating to official reporters have been the subject of extended debate. In particular, it is unsettled whether the basic compensation and benefit-setting mechanism of the Trial Court Employment Protection and Governance Act supersedes specific statutes relating to compensation of official reporters in individual counties. The individual county statutes are obsolete and in need of revision, if not outright repeal, since most of them still appear to involve county boards of supervisors in the bargaining process. This scheme is no longer appropriate for court employees under state funding and court control. To permit repeal of obsolete statutes concerning official reporter compensation, the Commission plans to recommend appropriate revision of the statutes once the stakeholders have resolved the underlying substantive and fiscal issues.

The issue of electronic reporting is also highly politicized. The proposed legislation seeks to avoid disturbing the status quo on this matter.<sup>32</sup>

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29. Compare, e.g., Gov’t Code § 69941 (“at pleasure” tenure of superior court reporters), with Gov’t Code §§ 71620 (trial court personnel), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court).

30. See, e.g., Gov’t Code § 69950 (transcription fee). The proposed legislation would also preserve county-specific statutory provisions governing a reporters’ salary fund inasmuch as the fund is still in use in the Los Angeles County Superior Court. See proposed Gov’t Code §§ 72708-72713.

31. Some provisions relating to court reporters should be simplified and clarified without substantive change, as proposed in the Commission’s Recommendation on *Cases in Which Court Reporter Is Required*, 31 Cal. L. Revision Comm’n Reports 223 (2001).

32. For example, the proposed legislation would preserve the provision of Government Code Section 70141.11 (court commissioners in Contra Costa County) to the effect that any court-reporting functions for the commissioner may be by electronic or mechanical means and devices. Similarly, the substance of Government Code Section 72194.5 authorizing electronic recording in certain limited civil cases, misdemeanor or infraction cases is continued in proposed Government Code Section 69957.

### **Sheriffs and Marshals**

Historically, sheriffs, marshals, and constables each served a different trial court. Sheriffs were associated with the superior court, marshals with the municipal court, and constables with the justice court. Each of these officers has noncourt, as well as court-related, functions. In the aftermath of trial court funding reform, the courts contract directly for the provision of court security services.<sup>33</sup>

Consolidation of sheriff and marshal operations has been an ongoing process.<sup>34</sup> In most counties, the sheriff has assumed operations formerly performed by the marshal. In four counties, the marshal's office currently performs services for the superior court.<sup>35</sup> The consolidation statutes may continue to serve functions in some counties to the extent that they guarantee continuing rights of former marshal personnel. The proposed legislation accommodates this situation by generally preserving the existing consolidation statutes, but adding a 15-year sunset clause to each of them.<sup>36</sup>

### **County-Specific Municipal Court Statutes**

More than half of Title 8 of the Government Code (Organization and Government of Courts) — in excess of 1,000 sections — is devoted to details of structure and employment in the municipal courts in various judicial districts. That voluminous legislation is the result of the constitutional requirement that the Legislature prescribe the number, qualifications, and compensation of judges, officers, and employees of the municipal courts.<sup>37</sup> With unification of the trial courts in every county, and with the elimination of the municipal courts on unification, these statutes are now largely obsolete.<sup>38</sup>

The transitional provisions for trial court unification make clear that, pending further legislative action, municipal court personnel become superior court personnel. The transitional provisions also preserve the salaries, benefits, and employment rights of municipal court personnel.<sup>39</sup>

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33. Gov't Code § 77212.5 (contracts for court security services). This provision is limited to courts for which the sheriff provides security services as required by law. Trial courts that employ marshals are not required to hire sheriffs under this section, nor are they required to enter into agreements with sheriffs.

34. See, e.g., Gov't Code §§ 26625-26625.15 (Contra Costa County), 26630-26637 (Ventura County), 26638.1-26638.11 (Sacramento County), 26639-26639.3 (Los Angeles County), 26639.5-26639.6 (Solano County), 72110 (Riverside County), 72114.2 (San Diego County), 72115 (San Bernardino County), 72116 (Shasta County).

35. Merced, San Benito, Shasta, and Trinity Counties.

36. The proposed legislation recognizes a few variants to accommodate circumstances in particular counties. For example, the sunset clause in San Diego County would be five years; there would be no sunset clause for Contra Costa, Los Angeles, and Shasta Counties; the Orange County statute would be repealed outright.

37. Cal. Const. art. VI, § 5(c).

38. See Cal. Const. art. VI, § 5(e). Statutes governing unification prevail over contrary county-specific statutes relating to the municipal courts. Gov't Code § 70215.

39. See Cal. Const. art. VI, § 23; Gov't Code §§ 70210-70218.

The Legislature has acted to provide a statewide structure for trial court employees, officers, and other personnel.<sup>40</sup> The Trial Court Employment Protection and Governance Act generally supersedes comparable county-specific provisions, such as statutes governing hiring authority, classification, compensation, labor relations, employment selection and advancement, employment protection, and personnel files. The act eclipses the unification transitional provisions; most of the detailed county-specific municipal court statutes may now be repealed.

### General Municipal Court Statutes

In addition to county-specific statutes governing the various municipal courts, there are statutes that refer to municipal courts generally. Now that all municipal and superior courts have unified, general statutory references to municipal courts should be corrected. The groundwork for much of the necessary revision has already been accomplished, by referring to limited civil cases and to misdemeanor and infraction cases rather than to the municipal court, and by referring to unlimited civil cases and to felony cases rather than to the superior court.<sup>41</sup> The conversion now should be completed throughout the codes.<sup>42</sup>

### County-Specific Superior Court Statutes

Although the Legislature is not constitutionally obligated to enact detailed staffing statutes for superior courts,<sup>43</sup> the Legislature has enacted a number of statutes for superior courts, particularly in the larger counties.<sup>44</sup>

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40. See Gov't Code §§ 71600-71675 (Trial Court Employment Protection and Governance Act).

41. See *Trial Court Unification: Revision of Codes*, 28 Cal. L. Revision Comm'n Reports 51 (1998).

42. For examples of various types of corrective legislation proposed in this recommendation, see the proposed revisions of Bus. & Prof. Code § 6079.1 (judges of State Bar Court); Code Civ. Proc. §§ 84 (process), 85.1 (original jurisdiction), 116.210 (small claims division), 575 (promulgation of rules by Judicial Council), 1132 (confession of judgment).

Some municipal court references need to be retained, particularly in the retirement context, because they have continuing utility. See, e.g., Gov't Code §§ 22825.2 (vesting of retirement benefits on 10 years of state service), 26625.8 (credit for bailiff-related services in municipal court), 31640 (county service for purposes of County Employees Retirement Law); Penal Code § 190.7 (record of capital case on appeal). See also Gov't Code §§ 71042.5 (preservation of judicial districts for purpose of publication), 71042.6 (map to establish district boundaries). The Commission plans to study issues relating to publication of legal notice. See *Trial Court Unification: Revision of Codes*, 28 Cal. L. Revision Comm'n Reports 51, 86 (1998).

Other municipal court references are being left in place pending further analysis of how to dispose of them. For example, Code of Civil Procedure Section 395(c) raises issues relating to local venue (venue within a county) that require careful study. See discussion of "Local Venue" *infra*.

The Commission has not yet systematically searched the codes for provisions that refer to the municipal courts indirectly (e.g., provisions that refer to "the proper court," "judicial district," or "jurisdiction") or provisions that refer to "the superior court" but require adjustment to reflect unification. Once identified, these provisions will require analysis and revision.

43. See Cal. Const. art. VI, § 4 (Legislature shall "provide for" officers and employees of superior court).

44. There are approximately 160 county-specific superior court staffing statutes. See Gov't Code §§ 69890-70148. About 40 of the statutes dealing with trial court employees other than official reporters are found in Article 8 of Chapter 5 of Title 8 of the Government Code (§§ 69890-69915). Approximately 25

Generally, these statutes authorize a superior court to appoint a certain number of persons to a position at a specified salary, with the possibility of establishing additional positions only with county approval. When salaries are not set by statute, they are generally set by joint action of the court and county. Positions are typically “at will” and exempt from civil service.

The superior court staffing statutes substantially overlap and are largely inconsistent with the Trial Court Employment Protection and Governance Act. Under that act, authority to establish titles is granted exclusively to the court,<sup>45</sup> and salaries are set by the court.<sup>46</sup> Most employees are covered by the employment protection system.

The county-specific superior court statutes are thus contrary to basic principles of local court authority and state trial court funding, rendering them obsolete. The proposed legislation would repeal these obsolete provisions.<sup>47</sup>

### **Jury Venires**

The Code of Civil Procedure authorizes smaller-than-countywide jury venires in counties where sessions of the superior court are held outside the county seat.<sup>48</sup> These venires are based on municipal court districts.

A number of statutes also prescribe special rules for superior court jury venires in physically isolated areas of specified counties.<sup>49</sup> These venires are based on supervisorial districts or on municipal court districts.

The proposed legislation would replace these obsolete provisions with a general statute that incorporates the various existing standards in one comprehensive section, and enables the courts to adopt governing local rules. There would be a one-year deferred operative date to enable courts to adopt local rules.<sup>50</sup>

### **Transitional Issues**

A substantial amount of the statutory material made obsolete by trial court restructuring relates to employment status, rights, and benefits. Although much of this material is now obsolete, currently effective memoranda of understanding may be based on the statutes. To help assure trial court employees that repeal of obsolete statutes does not jeopardize their current rights, the proposed legislation

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statutes dealing with subordinate judicial officers are found in Article 13 of Chapter 5 of Title 8 of the Government Code (§§ 70141-70148). The remaining 95 or so statutes dealing with official reporters are contained in Articles 9 through 12.8 of Chapter 5 of Title 8 of the Government Code (§§ 69941-70139).

45. Gov’t Code § 71620.

46. Gov’t Code § 71623.

47. The proposed legislation would not repeal county-specific superior court statutes relating to compensation of official reporters. See discussion of “Official Reporters” *supra*.

48. Code Civ. Proc. § 198.5.

49. See, e.g., Code Civ. Proc. §§ 199-199.5 (El Dorado, Placer, Nevada, and Santa Barbara Counties).

50. See proposed revision of Code Civ. Proc. § 198.5 and proposed uncodified provisions.

includes a saving clause that continues the effect of the repealed statutes to the extent that a current employment right may be based on them.<sup>51</sup>

In addition, many statutes govern ongoing retirement benefits of former employees of superseded courts and offices. Because they have continuing effect, they are preserved intact, notwithstanding their apparently obsolete language.<sup>52</sup>

## MATTERS NOT COVERED IN THIS RECOMMENDATION

Many statutes that require amendment or repeal are not included in this recommendation because stakeholders have not yet reached agreement on key issues, further research is required due to the complexity of the law, or additional time is required to prepare appropriate revisions as a consequence of the sheer volume of statutory material involved. A few of the major unresolved matters are indicated below.

### **Trial Court Facilities**

Responsibility for trial court facilities is a complex matter. The Legislature has established a Task Force on Court Facilities.<sup>53</sup> The Task Force is charged with identifying needs related to trial and appellate court facilities, and options and recommendations for funding maintenance, improvements, and expansion of court facilities, including specific responsibilities of each entity of government.<sup>54</sup> Because the policies in this area have yet to be determined, and the Legislature has yet to act on the matter, it is not possible to clean up statutes relating to facilities at this time.

### **Trial Court Sessions**

The numerous statutes relating to general and special court sessions require separate and careful treatment. Sessions are tied to court facilities, which have historically been county structures. Under trial court unification procedures, municipal court locations are preserved as superior court locations until superseding legislation is enacted.<sup>55</sup> Statutes requiring a session in a particular location are dependent in part on control of that facility; they are problematic in part because they implicate the need to maintain facilities where sessions are mandated. In addition, statutes requiring a session in a particular location may serve the function of ensuring convenient access for citizens in remote parts of a county. These provisions are generally not dealt with in this recommendation.<sup>56</sup>

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51. See proposed uncodified provisions.

52. See, e.g., *supra* note 42.

53. Gov't Code § 77650.

54. The Task Force issued its final report on October 1, 2001.

55. Cal. Const. art. VI, § 23(c); Gov't Code § 70212(b).

56. Technical, nonsubstantive revisions would be made in some sessions statutes. See, e.g., proposed revisions of Gov't Code §§ 69595.5 (concurrent daily sessions), 69741 (regular and special sessions). In

### **Local Venue**

A number of statutes require venue in the particular judicial district within the county in which the cause of action arose.<sup>57</sup> Elimination of judicial districts through unification raises the question whether such provisions should be preserved in some manner. The Administrative Office of the Courts has organized a Joint Working Group on Sub-County Venue Issues. The Working Group has developed a proposal to address some of the local venue issues. This proposal is being reviewed by various Judicial Council committees. Because the issues require further study, it is premature to include sections that raise local venue issues in this recommendation.

### **Concurrent Jurisdiction**

Some statutes can (but need not necessarily) be construed to confer concurrent jurisdiction on the municipal and superior courts.<sup>58</sup> The proper treatment of these statutes in a unified court is problematic.<sup>59</sup> The Commission is studying this matter to determine whether and, if appropriate, how to amend the sections so as to provide guidance regarding jurisdictional classification.

### **Fees and Fines Paid to County**

Many statutes provide that fees and fines collected by court officers are transmitted to the county treasury for deposit in the general fund.<sup>60</sup> Other statutes allow the county to obtain reimbursement of expenses incurred by the court.<sup>61</sup> Although these funds are generated by court processes or are court-related in nature, the statutes were not revised as part of trial court funding reform. The shift of trial court funding from the counties to the state was accomplished in a comprehensive negotiated agreement that identified specific responsibilities and funding arrange-

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addition, several municipal court facilities and sessions statutes would be reenacted because they fall within larger municipal court articles proposed for repeal in their entirety. The statutes are being preserved without change, pending resolution of the underlying issues.

57. See, e.g., Code Civ. Proc. § 392 (venue for certain proceedings involving real property). See also Bus. & Prof. Code § 17511.12; Civ. Code §§ 798.61, 1780, 1812.10, 2984.4; Code Civ. Proc. §§ 393, 395, 396a, 402.5; Educ. Code § 48295; Fish & Game Code §§ 12150, 12151; Food & Agric. Code §§ 29733, 59289; Harb. & Nav. Code §§ 664, 667; Health & Safety Code §§ 108580, 110375, 111880, 111895, 117070, 117120; Lab. Code § 6436; Penal Code §§ 1034, 1035, 1038, 1039, 1462.2; Pub. Res. Code § 5560; Water Code § 310.

58. See, e.g., Code Civ. Proc. § 688.010; Food & Agric. Code §§ 25564, 29733, 43039, 59289; Health & Safety Code §§ 108580, 110375, 111880, 111895.

59. Should a party be permitted to choose whether a proceeding under such a provision is treated as a limited civil case or as an unlimited civil case, regardless of the amount in controversy? Or should the provisions be revised to follow normal procedural rules, under which the proper jurisdictional classification of a case depends on the amount in controversy or other circumstances, instead of being left to the discretion of the plaintiff?

60. See, e.g., Bus. & Prof. Code § 25762 (fines and forfeitures of bail).

61. See, e.g., Prob. Code §§ 1513.1, 1851.5 (county may assess county expenses incurred for cost of court investigation of a guardianship or conservatorship estate).

ments for each party. Revenues not specifically shifted from the county to the state continue to go to the county.

Mechanisms are in place to attempt to resolve some of these issues. A Joint Court-County Working Group on Trial Court Funding has been seeking to address the matter.<sup>62</sup> The Bureau of State Audits is conducting an audit of revenues governed by these statutes. It is premature to attempt to revise the statutes until these processes have been completed.

### **Duties of County**

Generally, the proposed legislation implements the transfer of court governance from the county to the courts by proposing appropriate conforming revisions in statutes that impose court-related duties on the county. However, some of the court-related duties directly affect costs to the courts and counties.<sup>63</sup> Just as issues related to court-generated fees cannot yet be resolved,<sup>64</sup> issues related to court-generated costs cannot yet be resolved. Issues on fees and costs should be dealt with comprehensively, rather than piecemeal. The Commission has not recommended disposition of these matters, pending a consensus among the stakeholders.<sup>65</sup>

### **Representation, Defense, and Indemnification of Trial Courts and Trial Court Judges**

A few statutes pertain to the representation of a superior court or superior court judge by county counsel or the district attorney.<sup>66</sup> These sections may have been superseded by newly-enacted Government Code Section 811.9, which requires the Judicial Council to provide for the representation, defense, and indemnification of superior courts, superior court judges, officers, and employees. The Commission is studying several issues relating to these provisions, including whether the earlier representation provisions are indeed obsolete or continue to have practical application.

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62. The Working Group has issued a report to the Joint Legislative Budget Committee on Trial Court Funding, identifying problem statutes that require further work. They are continuing negotiations over disposition of those provisions.

63. For example, the propriety of continued county liability for criminal witness fees is in question. See, e.g., Gov't Code §§ 29603 (payments to jurors and witnesses), 72232 ("Witnesses and jurors in criminal cases shall be paid by the county in the manner provided for the payment of such fees in the county or city and county in which any such municipal court is situated."); Penal Code § 1329 (court may "direct the county auditor to draw his warrant upon the county treasurer in favor of such witness for witness' fees").

64. See discussion of "Fees and Fines Paid to County" *supra*.

65. An exception to this approach is the proposed treatment of Penal Code Section 4852.18. Section 4852.18 requires the county clerk to reproduce the Board of Prison Terms form of "Certificate of Rehabilitation and Pardon" and to make copies available at no charge to persons requesting them. The proposed legislation would shift this duty to the court clerk, since the county clerk no longer serves ex officio as court clerk. The corresponding cost shift to the court is minimal.

66. Gov't Code §§ 26524, 26529, 27647. See also Gov't Code § 27648 (reimbursement where judge is required to retain counsel due to conflict of interest).

### **Personnel Not Covered by Trial Court Employment Protection and Governance Act**

Although statutes governing compensation of court employees generally are superseded by the Trial Court Employment Protection and Governance Act, this is not necessarily true of all court employees or non-employee court personnel.

Judges are not treated as “employees” for purposes of the act.<sup>67</sup> The proposed legislation does not address statutes governing compensation of judges,<sup>68</sup> pending development of proposals by the Judicial Council’s Task Force on Judicial Service.<sup>69</sup>

In some counties, official reporters and official reporters pro tempore may be independent contractors rather than court employees. The proposed legislation does not address compensation issues for these court personnel.

Most court interpreters are independent contractors and not court employees. The employment status of court interpreters is the subject of debate among the stakeholders, is highly politicized, and is currently unresolved. The proposed legislation does not address this matter.<sup>70</sup>

### **Trial Court Coordination**

A number of statutes pertain to coordination of operations of the municipal and superior courts in a county.<sup>71</sup> The statutes are obsolete as a consequence of trial court unification. However, the statutes are left intact temporarily, pending consideration of the possibility of applying coordination principles to intercounty superior court operations in appropriate circumstances.

## **CONCLUSION**

Due to the size of the project, and the statutory deadline associated with it, this recommendation does not deal with all statutes made obsolete by trial court restructuring. Many statutes are not yet ripe for revision. Others are ripe for revision, but require more time and care to address. The fact that this recommendation does not address a particular statute should not be construed to indicate that the Commission has decided that the statute should be preserved over the general restructuring provisions. These statutes may be the subject of a future Commission recommendation. The proposed removal of the January 1, 2002, deadline for the Commission to report on this matter signals the Commission’s intention to remain actively involved until completion of this code cleanup project.

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67. Gov’t Code § 71601(m).

68. See, e.g., Gov’t Code §§ 69907 (San Diego County), 69909 (Riverside County).

69. A provision governing business-related travel expenses of trial court judges was enacted in 2001. See Gov’t Code § 69505.

70. The Commission has under review, but has not yet made recommendations relating to, possible revisions of statutes concerning the appointment of interpreters by the court (as opposed to the county clerk) and payment of interpreters’ fees and compensation (to conform to the Trial Court Funding Act).

71. Gov’t Code §§ 68112, 68112.5, 68114, 68114.5, 68114.6, 68114.7, 68114.9.

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## PROPOSED LEGISLATION

### CONSTITUTION

#### **Cal. Const. Art. VI, § 1 (amended). Judicial power**

**Comment.** Section 1 is amended to reflect unification of the municipal and superior courts pursuant to former Section 5(e).

#### **Cal. Const. Art. VI, § 5 (repealed). Municipal court**

**Comment.** Section 5 is repealed to reflect unification of the municipal and superior courts pursuant to former subdivision (e).

This repeal deletes the requirement of subdivision (a) that each county be divided into municipal court districts as provided by statute. Statutes provide the manner of creation of judicial districts, and these statutes have continuing relevance for legal publication purposes. See Gov't Code §§ 71042.5-71042.6. These statutes are not affected by repeal of Section 5.

#### **Cal. Const. Art. VI, § 6 (amended). Judicial Council**

**Comment.** Section 6 is amended to reflect unification of the municipal and superior courts pursuant to former Section 5(e).

#### **Cal. Const. Art. VI, § 8 (amended). Commission on Judicial Performance**

**Comment.** Subdivision (a) of Section 8 is amended to reflect unification of the municipal and superior courts pursuant to former Section 5(e).

#### **Cal. Const. Art. VI, § 10 (amended). Original jurisdiction**

**Comment.** Section 10 is amended to reflect unification of the municipal and superior courts pursuant to former Section 5(e). This amendment does not affect the power of the Legislature to establish divisions within the superior court, such as the small claims court or the juvenile court, or to create administrative tribunals that make adjudicative decisions, subject to judicial review.

#### **Cal. Const. Art. VI, § 15 (amended). Qualifications of judges**

**Comment.** Section 15 is amended to reflect unification of the municipal and superior courts pursuant to former Section 5(e).

#### **Cal. Const. Art. VI, § 16 (amended). Election of judges**

**Comment.** Subdivision (b) of Section 16 is amended to reflect unification of the municipal and superior courts pursuant to former Section 5(e).

#### **Cal. Const. Art. VI, § 23 (amended). Transitional provision**

**Comment.** Section 23 is repealed, effective January 1, 2007, to reflect completion of the process of unification of the municipal and superior courts pursuant to former Section 5(e). Statutory transitional provisions for trial court unification based on this section are more complete. See Gov't Code §§ 70200-70219.

## BUSINESS AND PROFESSIONS CODE

### **Bus. & Prof. Code § 6079.1 (amended). Judges of State Bar Court**

**Comment.** Subdivision (d) of Section 6079.1 is amended to convert the basis of a hearing judge's salary from that of a municipal court judge to that of a superior court judge. This change anticipates that municipal court judge salaries will not be maintained after abolition of the municipal courts through unification. A municipal court judge's salary is approximately 91.3225 percent of a superior court judge's salary. See former subdivision (b) of Gov't Code § 68202 (1984 Cal. Stat. ch. 1758, § 3); see also Gov't Code § 68203.

### **Bus. & Prof. Code § 6152 (amended). Runners and cappers**

**Comment.** Subdivision (a) of Section 6152 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

### **Bus. & Prof. Code § 6302.5 (amended). Board of law library trustees of Los Angeles County**

**Comment.** Section 6302.5 is amended to reflect unification of the municipal and superior courts in Los Angeles County pursuant to Article VI, Section 5(e), of the California Constitution, effective January 22, 2000.

The section is also amended to delete obsolete language regarding the manner of establishing a system of staggered terms.

### **Bus. & Prof. Code § 6324 (amended). Additions to law library fund**

**Comment.** Section 6324 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

### **Bus. & Prof. Code § 6341 (amended). Law library branches**

**Comment.** Section 6341 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

### **Bus. & Prof. Code § 6365 (repealed). Discontinuance of law library**

**Comment.** Section 6365 is repealed as obsolete. Every superior court has at least two judgeships as a result of trial court unification. See Gov't Code § 69580 *et seq.* (number of judges).

### **Bus. & Prof. Code § 6405 (amended). Bond of legal document assistant or unlawful detainer assistant**

**Comment.** Subdivision (g) of Section 6405 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

### **Bus. & Prof. Code § 22391 (amended). Deposit in lieu of bond of invention developer**

**Comment.** Subdivision (i) of Section 22391 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Bus. & Prof. Code § 22455 (amended). Bond or deposit of professional photocopier**

**Comment.** Subdivision (d) of Section 22455 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Bus. & Prof. Code § 25361 (amended). Notice of seizure and intended forfeiture proceeding**

**Comment.** Section 25361 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**CIVIL CODE**

**Civ. Code § 52.1 (amended). Protection of rights guaranteed by federal or state constitution**

**Comment.** Subdivision (e) of Section 52.1 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Civ. Code § 1181 (amended). Proof of acknowledgment of instrument**

**Comment.** Subdivisions (a) and (d) of Section 1181 are amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Civ. Code § 1789.24 (amended). Deposit in lieu of bond of credit services organization**

**Comment.** Subdivision (i) of Section 1789.24 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Civ. Code § 1812.105 (amended). Deposit in lieu of bond of discount buying organization**

**Comment.** Subdivision (h) of Section 1812.105 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Civ. Code § 1812.503 (amended). Bond or deposit of employment agency**

**Comment.** Subdivision (k) of Section 1812.503 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Civ. Code § 1812.510 (amended). Bond or deposit of employment counseling service**

**Comment.** Subdivision (b) of Section 1812.510 is amended to make a technical change.  
Subdivision (k) is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Civ. Code § 1812.515 (amended). Bond or deposit of job listing service**

**Comment.** Subdivision (k) of Section 1812.515 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Civ. Code § 1812.525 (amended). Bond or deposit of nurses' registry**

**Comment.** Subdivision (k) of Section 1812.525 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Civ. Code § 1812.600 (amended). Bond or deposit of auctioneer or auction company**

**Comment.** Subdivision (k) of Section 1812.600 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Civ. Code § 2924j (amended). Proceeding to discharge trustee and distribute proceeds of sale under deed of trust**

**Comment.** Subdivisions (c) and (d) of Section 2924j are amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

Subdivision (d) is also amended to clarify the jurisdictional classification of a proceeding to distribute excess sale proceeds. This is declaratory of existing law. See Code Civ. Proc. § 85 (limited civil cases) & Comment. See also Code Civ. Proc. § 88 (unlimited civil cases).

## CODE OF CIVIL PROCEDURE

**Code Civ. Proc. § 17 (amended). Words and phrases**

**Comment.** Section 17 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 38 (judicial district). *Cf.* Gov't Code § 71042.5 (preservation of judicial districts for purpose of publication).

**Code Civ. Proc. § 32.5 (amended). Jurisdictional classification**

**Comment.** Section 32.5 is amended to replace the reference to "otherwise" with a reference to an "unlimited civil case." See Section 88 (civil action or proceeding other than limited civil case may be referred to as unlimited civil case).

**Code Civ. Proc. § 34 (repealed). Application of code provisions to trial courts**

**Comment.** Section 34 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 73e (amended). Session at location of juvenile hall**

**Comment.** Section 73e is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. *Cf.* Section 38 (judicial district).

The section is also amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

The section is also amended to replace language referring to the senior judge with language referring to the presiding judge. Every superior court has a presiding judge. See Gov't Code §§ 69508, 69508.5.

**Code Civ. Proc. § 75 (amended). Submission of noncontested matter**

**Comment.** Section 75 is amended to reflect the fact that every superior court has at least two judgeships as a result of trial court unification. See Gov't Code § 69580 *et seq.* (number of judges).

**Code Civ. Proc. § 77 (amended). Appellate division**

**Comment.** Subdivision (c) of Section 77 is amended to reflect enactment of the Trial Court Funding Act. See Gov't Code §§ 77003 (“court operations” defined), 77200 (state funding of trial court operations).

Subdivisions (e) and (h) are amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

Subdivision (i) is deleted as obsolete.

**Code Civ. Proc. §§ 81-84 (repealed). Municipal courts**

**Comment.** Sections 81-84 are repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 85.1 (repealed). Original jurisdiction**

**Comment.** Section 85.1 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Cal. Const. art. VI, § 10 (original jurisdiction).

**Code Civ. Proc. § 86.1 (amended). Long-Term Care, Health, Safety, and Security Act**

**Comment.** Section 86.1 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 1048 (consolidation of actions in superior court).

**Code Civ. Proc. § 116.210 (amended). Small claims division**

**Comment.** Section 116.210 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 116.250 (amended). Small claims court sessions**

**Comment.** Section 116.250 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 38 (judicial district).

**Code Civ. Proc. § 116.950 (amended). Advisory committee**

**Comment.** Section 116.950 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 134 (amended). Court closure on judicial holidays**

**Comment.** Subdivision (c) of Section 134 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 166 (amended). Authority of superior court judge**

**Comment.** Subdivision (a) of Section 166 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. Subdivision (a) is also amended to delete language referring to “the judge” of the court. Every superior court has at least two judgeships as a result of trial court unification. See Gov't Code § 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or

otherwise, a reference to the judges of the court means the sole judge of the court. See Gov't Code § 13 (plural includes singular).

**Code Civ. Proc. § 170.5 (amended). Definitions**

**Comment.** Subdivision (a) of Section 170.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 170.6 (amended). Prejudice against party or attorney**

**Comment.** Subdivision (1) of Section 170.6 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 170.9 (amended). Gifts to judges**

**Comment.** Subdivision (c) of Section 170.9 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 179 (amended). Taking and certifying acknowledgments, affidavits, or depositions**

**Comment.** Section 179 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 194 (amended). Definitions**

**Comment.** Subdivision (b) of Section 194 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 195 (amended). Jury commissioner**

**Comment.** Subdivision (a) of Section 195 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

Subdivision (b) is amended to reflect enactment of the Trial Court Employment Protection and Governance Act. See Gov't Code §§ 71620 (trial court personnel), 71623 (salaries).

**Code Civ. Proc. § 198.5 (amended). Superior court venires**

**Comment.** Section 198.5 is amended, effective January 1, 2004, to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. It incorporates provisions drawn from Sections 199 (El Dorado County venires), 199.2 (Placer County venires), 199.3 (Nevada County venires), and 199.5 (Santa Barbara County venires).

**Code Civ. Proc. § 199 (repealed). El Dorado County venires**

**Comment.** The special rule of Section 199 is superseded by the general rule of Section 198.5 (superior court venires), operative January 1, 2004.

**Code Civ. Proc. § 199.2 (repealed). Placer County venires**

**Comment.** The special rule of Section 199.2 is superseded by the general rule of Section 198.5 (superior court venires), operative January 1, 2004.

**Code Civ. Proc. § 199.3 (repealed). Nevada County venires**

**Comment.** The special rule of Section 199.3 is superseded by the general rule of Section 198.5 (superior court venires), operative January 1, 2004.

**Code Civ. Proc. § 199.5 (repealed). Santa Barbara County venires**

**Comment.** The special rule of Section 199.5 is superseded by the general rule of Section 198.5 (superior court venires), operative January 1, 2004.

**Code Civ. Proc. § 200 (repealed). Municipal court jury pools**

**Comment.** Section 200 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 201 (amended). Jury panels**

**Comment.** Section 201 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

The section is also amended to reflect the fact that every superior court has at least two judgeships as a result of trial court unification. See Gov't Code § 69580 *et seq.* (number of judges).

**Code Civ. Proc. § 215 (amended). Fees and mileage for jurors**

**Comment.** Section 215 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 217 (amended). Food, lodging, and necessities for jurors in criminal cases**

**Comment.** Section 217 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

The section is also amended to reflect enactment of the Trial Court Funding Act. See Gov't Code §§ 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

**Code Civ. Proc. § 234 (amended). Alternate jurors**

**Comment.** Section 234 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 274a (amended). Reporting and transcription of proceedings**

**Comment.** Section 274a is amended to reflect enactment of the Trial Court Funding Act. See Gov't Code §§ 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Gov't Code §§ 68073 (responsibility for court operations and facilities), 69941 (appointment of official reporters).

The section is also amended to delete the reference to insanity proceedings or proceedings for the feeble-minded. That provision is superseded by Government Code Section 69952(a)(4) (verbatim record in proceedings under Lanterman-Petris-Short Act).

The section is also amended to replace "civil case other than a limited civil case" with a reference to "unlimited civil case." See Section 88 (civil action or proceeding other than limited civil case may be referred to as unlimited civil case).

**Code Civ. Proc. § 394 (amended). Venue in action against county, city, or local agency**

**Comment.** Section 394 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 396 (amended). Court without jurisdiction**

**Comment.** Section 396 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 403.040(e)-(f) (reclassification where judgment could have been rendered in limited civil case; reclassification where misclassification is due solely to excess in amount of demand).

**Code Civ. Proc. § 402 (repealed). Transfer for convenience of municipal court**

**Comment.** Section 402 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 403 (amended). Transfer and coordination of noncomplex cases**

**Comment.** Section 403 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. *Cf.* Sections 404-404.8 (coordination of complex cases).

**Code Civ. Proc. § 403.010 (amended). Effect of chapter**

**Comment.** Section 403.010 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 404 (amended). Petition for coordination of complex cases**

**Comment.** Section 404 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. *Cf.* Section 403 (transfer and coordination of noncomplex cases).

**Code Civ. Proc. § 404.3 (amended). Order coordinating actions**

**Comment.** Section 404.3 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. *Cf.* Section 403 (transfer and coordination of noncomplex cases).

**Code Civ. Proc. § 404.9 (amended). Delegation of duties by presiding judge**

**Comment.** Section 404.9 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

The first paragraph is amended to delete language referring to the sole judge. Every superior court has at least two judgeships as a result of trial court unification. See Gov't Code § 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or otherwise, the reference to the "presiding judge" means the sole judge of the court. See Gov't Code § 69508.5 (presiding judge).

The second paragraph is deleted as unnecessary. The provision relating to proceedings for transfer from a municipal court is obsolete. The provision for coordination rules is redundant. See Section 404.7 (rules for coordination of complex cases). *Cf.* Section 403 (transfer and coordination of noncomplex cases).

**Code Civ. Proc. § 422.30 (amended). Caption**

**Comment.** Section 422.30 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 38 (judicial district). *Cf.* Gov't Code § 71042.5 (preservation of judicial districts for purpose of publication).

**Code Civ. Proc. § 575 (amended). Promulgation of rules by Judicial Council**

**Comment.** Section 575 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 594 (amended). Bringing issues to trial or hearing**

**Comment.** Subdivision (a) of Section 594 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 628 (amended). Entry upon receipt of verdict**

**Comment.** Section 628 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 632 (amended). Statement of decision**

**Comment.** Section 632 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 655 (repealed). Application of article**

**Comment.** Section 655 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 668 (amended). Judgment book**

**Comment.** Section 668 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 670 (amended). Judgment roll**

**Comment.** Section 670 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 701.530 (amended). Notice of sale of personal property**

**Comment.** Subdivision (c)(2) of Section 701.530 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 38 (judicial district).

**Code Civ. Proc. § 701.540 (amended). Notice of sale of interest in real property**

**Comment.** Subdivision (d)(1) of Section 701.540 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 38 (judicial district). *Cf.* Gov't Code § 71042.5 (preservation of judicial districts for purpose of publication).

**Code Civ. Proc. § 904.5 (amended). Small claims appeals**

**Comment.** Section 904.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 1052 (repealed). Register of civil actions in municipal court**

**Comment.** Section 1052 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Gov't Code §§ 69845 (register of actions in superior court), 69845.5 (alternative to maintaining register of actions in superior court). On unification of the municipal and superior courts in a county, the records of the municipal court become records of the superior court. Cal. Const. art. VI, § 23(c)(3); Gov't Code § 70212(c).

**Code Civ. Proc. § 1052.5 (repealed). Alternative methods of keeping register of actions**

**Comment.** Section 1052.5 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Gov't Code §§ 69845 (register of actions in superior court), 69845.5 (alternative to maintaining register of actions in superior court).

**Code Civ. Proc. § 1060 (amended). Declaration of rights and duties**

**Comment.** Section 1060 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 1068 (amended). Courts authorized to grant writ of review**

**Comment.** Section 1068 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 1085 (amended). Courts authorized to grant writ of mandate**

**Comment.** Section 1085 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 1103 (amended). Courts authorized to grant writ of prohibition**

**Comment.** Section 1103 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 1132 (amended). Confession of judgment**

**Comment.** Subdivision (a) of Section 1132 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 1141.11 (amended). Arbitration of at-issue civil actions**

**Comment.** Subdivisions (a)-(c) of Section 1141.11 are amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 1141.12 (amended). Arbitration**

**Comment.** Subdivision (a) of Section 1141.12 is amended to clarify its application. This is declaratory of existing law.

Subdivision (b) is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 1141.29 (repealed). Judicial Council report**

**Comment.** Section 1141.29 is repealed as obsolete, because the report required by this section was due in 1984.

**Code Civ. Proc. § 1208.5 (amended). Satisfaction of liens for expense of keeping abused, abandoned or neglected animals**

**Comment.** Section 1208.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 38 (judicial district).

**Code Civ. Proc. § 1281.5 (amended). Application to stay pending arbitration**

**Comment.** Subdivision (a) of Section 1281.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 1420 (amended). Escheat**

**Comment.** Section 1420 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§

69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Code Civ. Proc. § 1607 (amended). Assertion of interest in unclaimed property**

**Comment.** Section 1607 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Code Civ. Proc. § 1609 (amended). Commencement of proceeding by Attorney General**

**Comment.** Section 1609 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Code Civ. Proc. § 1710.20 (amended). Filing of application**

**Comment.** Subdivision (a) of Section 1710.20 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 1775.1 (amended). Definitions**

**Comment.** Section 1775.1 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Code Civ. Proc. § 2015.3 (amended). Certificate of sheriff, marshal, or court clerk**

**Comment.** Section 2015.3 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

## CORPORATIONS CODE

**Corp. Code § 420 (amended). Transfer of shares**

**Comment.** Subdivision (a) of Section 420 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

## EDUCATION CODE

**Educ. Code § 69763.1 (amended). Default on student loan**

**Comment.** Subdivision (c) of Section 69763.1 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by

the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Educ. Code § 69763.2 (amended). Entry and enforcement of judgment**

**Comment.** Subdivision (a) of Section 69763.2 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

## ELECTIONS CODE

**Elec. Code § 13.5 (amended). Filing requirements**

**Comment.** Subdivision (b) of Section 13.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Elec. Code § 325 (repealed). Judicial district**

**Comment.** Section 325 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Elec. Code § 327 (amended). Judicial officer**

**Comment.** Section 327 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Elec. Code § 2212 (amended). Report of persons convicted of felonies**

**Comment.** Section 2212 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

The section is also amended to eliminate certification of which felons remain imprisoned; that determination may not be ascertainable on the basis of court records.

**Elec. Code § 8203 (amended). Incumbent as only nominee**

**Comment.** Section 8203 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. *Cf.* Code Civ. Proc. § 38 (judicial district).

**Elec. Code § 11221 (amended). Number of qualified signatures required to qualify recall for ballot**

**Comment.** Subdivision (c)(1) of Section 11221 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Elec. Code § 13107 (amended). Ballot designations**

**Comment.** Subdivision (a) of Section 13107 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Elec. Code § 13109 (amended). Order of offices on ballot**

**Comment.** Subdivision (i) of Section 13109 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Elec. Code § 13111 (amended). Order of candidates names**

**Comment.** Subdivision (f) of Section 13111 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

## EVIDENCE CODE

**Evid. Code § 300 (amended). Applicability of code**

**Comment.** Section 300 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Evid. Code § 452.5 (amended). Computer-generated record of criminal conviction**

**Comment.** Subdivision (a) of Section 452.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. The reference to former Government Code Section 71280.5 is deleted, because that provision concerned certification and submission of municipal court records relating to criminal convictions. Government Code Section 69844.5 is the comparable superior court provision.

**Evid. Code § 1061 (amended). Procedure for assertion of trade secret privilege**

**Comment.** Former subdivision (d) of Section 1061 is deleted to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. On unification of the municipal and superior courts in a county, preexisting records of the municipal court automatically become records of the superior court. Cal. Const. art. VI, § 23(c)(3); Gov't Code § 70212(c).

## FAMILY CODE

**Fam. Code § 240.5 (repealed). Issuance by municipal court judge upon unavailability of superior court judge**

**Comment.** Section 240.5 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Fam. Code § 4252 (amended). Appointment of child support commissioners and Judicial Council standards**

**Comment.** Section 4252 is amended to reflect enactment of the Trial Court Employment Protection and Governance Act. See Gov't Code § 71622 (subordinate judicial officers).

The section is also amended to reflect enactment of the Trial Court Funding Act. See Gov't Code §§ 77001 (local trial court management), 77003 ("court operations" defined), 77200 (state funding of trial court operations).

The section is also amended to delete the reference in subdivision (a) to former Article 13 (commencing with Section 70140) of Chapter 5 of Title 8 of the Government Code.

The section is also amended to delete former subdivision (b)(8) as obsolete.

Subdivision (c) is added for purposes of clarity.

**Fam. Code § 6390 (repealed). Domestic violence courts**

**Comment.** Section 6390 is repealed as obsolete.

**Fam. Code § 7122 (amended). Declaration of emancipation**

**Comment.** Subdivision (b) of Section 7122 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Fam. Code § 7134 (amended). Revocation of emancipation**

**Comment.** Section 7134 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Fam. Code § 8613 (amended). Appearance by counsel for adoptive parent in military or Red Cross service**

**Comment.** Subdivision (d) of Section 8613 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Fam. Code § 8614 (amended). Certificate of adoption**

**Comment.** Section 8614 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Fam. Code § 8702 (amended). Statement to birth parents at time of relinquishment**

**Comment.** Subdivision (a)(5) of Section 8702 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Fam. Code § 8714.5 (amended). Adoption by relatives**

**Comment.** Subdivision (c) of Section 8714.5 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Fam. Code § 8818 (amended). Statement to birth parents at time of consent**

**Comment.** Subdivision (a)(5) of Section 8818 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Fam. Code § 9200 (amended). Confidentiality of records; certificate of adoption**

**Comment.** Section 9200 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Fam. Code § 17521 (amended). Order to show cause or notice of motion for judicial review of district attorney's decision**

**Comment.** Section 17521 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**FISH AND GAME CODE**

**Fish & Game Code § 210 (amended). Publication and distribution of regulations**

**Comment.** Subdivision (a) of Section 210 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**FOOD AND AGRICULTURAL CODE**

**Food & Agric. Code § 30801 (amended). Issuance of dog licenses**

**Comment.** Subdivision (a)(2) of Section 30801 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Food & Agric. Code § 31503 (amended). Complaint by person damaged**

**Comment.** Section 31503 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Food & Agric. Code § 31621 (amended). Hearing on whether dog is potentially dangerous or vicious**

**Comment.** Section 31621 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Food & Agric. Code § 31622 (amended). Determination and appeal**

**Comment.** Subdivision (a) of Section 31622 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. Subdivision (a) is also amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**GOVERNMENT CODE**

**Gov't Code § 945.3 (amended). Civil action against peace officer or public entity**

**Comment.** Section 945.3 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 1770 (amended). Vacancy before expiration of term**

**Comment.** Subdivision (e) of Section 1770 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 3501.5 (amended). Public agency**

**Comment.** Section 3501.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 6103.5 (amended). Filing and service of process fees included in judgment**

**Comment.** Subdivision (d) of Section 6103.5 is amended to reflect enactment of the Trial Court Funding Act. See Section 77001 (local trial court management).

**Gov't Code § 6520 (amended). San Diego Courthouse, Jail, and Related Facilities Development Agency**

**Comment.** Subdivision (b) of Section 6520 is amended to reflect unification of the municipal and superior courts in San Diego County pursuant to Article VI, Section 5(e), of the California Constitution, effective December 1, 1998.

**Gov't Code § 6701 (amended). Holiday falling on Saturday or Sunday**

**Comment.** Section 6701 is amended to reflect enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(l) ("trial court employee" defined), 71615(c)(5) (trial court as employer of all trial court employees), 71673 (authority of trial courts to establish terms and conditions of employment).

**Gov't Code § 6704 (amended). Saturday as holiday**

**Comment.** Section 6704 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. It is unnecessary to replace the reference to the municipal court with a reference to the superior court, because the superior court

is not a public office of a city or district. For transaction of business by the superior court on Saturdays, see Section 6701 (holiday falling on Saturday or Sunday); Code Civ. Proc. §§ 116.250 (small claims court sessions), 134 (court closure on judicial holidays).

**Gov’t Code § 12989 (amended). Civil action instead of administrative proceeding**

**Comment.** Subdivision (c) of Section 12989 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

For the jurisdictional classification of an action pursuant to this section, see Code Civ. Proc. §§ 85 (limited civil cases) & Comment, 86 (miscellaneous limited civil cases).

**Gov’t Code § 15422 (amended). Substitute for county public defender**

**Comment.** Section 15422 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov’t Code § 16265.2 (amended). County costs of eligible programs, county costs of justice programs, and general purpose revenues**

**Comment.** Subdivision (c)(1) of Section 16265.2 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov’t Code § 20437 (amended). “County peace officer” as including constables, marshals, and deputies**

**Comment.** Section 20437 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

The section is also amended to reflect elimination of the justice court pursuant to Article VI, Sections 1 and 5(b), of the California Constitution.

**Gov’t Code § 20440 (amended). County peace officer**

**Comment.** Section 20440 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov’t Code § 23220 (amended). Effect of boundary change on pending cases**

**Comment.** Section 23220 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov’t Code § 23296 (repealed). Effect of boundary change on municipal court districts**

**Comment.** Section 23296 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov’t Code § 23396 (amended). Superior court officers, attachés and other employees**

**Comment.** Section 23396 is amended to reflect enactment of the Trial Court Employment Protection and Governance Act. See, e.g., Sections 71620(a) (job classifications and appointments), 71640-71645 (employment selection and advancement).

**Gov’t Code § 23398 (repealed). Effect of creating new county on municipal court districts**

**Comment.** Section 23398 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov’t Code § 23579 (repealed). Effect of consolidating counties on municipal court districts**

**Comment.** Section 23579 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 25100.5 (amended). Clerk of the board of supervisors**

**Comment.** Section 25100.5 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Section 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Gov't Code § 26608.3 (amended). Service of writs, notices and other process by marshal in Shasta County**

**Comment.** Subdivision (a) of Section 26608.3 is amended to reflect unification of the municipal and superior courts in Shasta County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998.

**Gov't Code § 26608.4 (repealed). Service of writs, notices and other process in Santa Barbara County**

**Comment.** Section 26608.4 is repealed to reflect elimination of the marshal's office as a result of consolidation with the sheriff's office in Santa Barbara County, effective January 1, 1997.

**Gov't Code § 26608.5 (repealed). Service of writs, notices and other process in Glenn County**

**Comment.** Section 26608.5 is repealed to reflect elimination of the marshal's office and the transfer of its functions to the sheriff's office in Glenn County, effective August 17, 1999.

**Gov't Code § 26625 (amended). Short title**

**Comment.** Section 26625 is amended to reflect elimination of the marshal's office as a result of consolidation with the sheriff's office in Contra Costa County, effective August 30, 1988.

**Gov't Code § 26625.1 (repealed). Operation of Gov't Code §§ 26625.2-26625.10**

**Comment.** Section 26625.1 is repealed to reflect consolidation of court-related services in Contra Costa County within the sheriff's office, effective August 30, 1988.

**Gov't Code § 26625.2 (amended). Court security bureau**

**Comment.** Section 26625.2 is amended to reflect unification of the municipal and superior courts in Contra Costa County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 8, 1998.

**Gov't Code § 26625.3 (amended). Court security oversight committee**

**Comment.** Section 26625.3 is amended to reflect unification of the municipal and superior courts in Contra Costa County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 8, 1998.

The section is also amended to reflect enactment of the Trial Court Funding Act. See Section 77200 (state funding of trial court operations).

**Gov't Code § 26625.4 (amended). Appointing authority**

**Comment.** Section 26625.4 is amended to reflect unification of the municipal and superior courts in Contra Costa County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 8, 1998.

The section is also amended to delete obsolete provisions regarding the former incumbent marshal and assistant marshals.

**Gov't Code § 26625.10 (repealed). Marshal's office abolished**

**Comment.** Section 26625.10 is repealed to reflect elimination of the marshal's office as a result of consolidation with the sheriff's office in Contra Costa County, effective August 30, 1988.

**Gov't Code § 26625.11 (repealed). Operation of Gov't Code §§ 26625.12-26625.15**

**Comment.** Section 26625.11 is repealed to reflect consolidation of court-related services in Contra Costa County within the sheriff's office, effective August 30, 1988.

**Gov't Code § 26625.12 (repealed). Deputy sheriffs' status**

**Comment.** Section 26625.12 is repealed to reflect consolidation of court-related services in Contra Costa County within the sheriff's office, effective August 30, 1988.

**Gov't Code § 26625.13 (repealed). Status of sheriff department employees**

**Comment.** Section 26625.13 is repealed to reflect consolidation of court-related services in Contra Costa County within the sheriff's office, effective August 30, 1988.

**Gov't Code § 26625.14 (repealed). Seniority**

**Comment.** Section 26625.14 is repealed to reflect consolidation of court-related services in Contra Costa County within the sheriff's office, effective August 30, 1988.

**Gov't Code § 26625.15 (repealed). Peace officer status**

**Comment.** Section 26625.15 is repealed to reflect consolidation of court-related services in Contra Costa County within the sheriff's office, effective August 30, 1988.

**Gov't Code §§ 26630-26637 (repealed). Ventura County Court Services Consolidation Act**

**Comment.** Sections 26630-26637 are repealed to reflect:

(1) Unification of the municipal and superior courts in Ventura County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 10, 1998.

(2) The fact that Article 1.5 is superseded by a negotiated contract between the superior court and the sheriff's department. See Section 77212.5(a) (agreement with sheriff's department regarding court security services).

**Gov't Code § 26638.2 (amended). Consolidation of marshal and sheriff departments**

**Comment.** Section 26638.2 is amended to reflect unification of the municipal and superior courts in Sacramento County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 17, 1998.

The section is also amended to delete the reference to former Section 26638.12.

The section is also amended to reflect adoption of a consolidation ordinance abolishing the marshal's department and consolidating the services and personnel of the marshal's department into the sheriff's department, effective January 1, 1986.

**Gov't Code § 26638.4 (amended). Sheriff to provide court-related services**

**Comment.** Section 26638.4 is amended to reflect unification of the municipal and superior courts in Sacramento County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 17, 1998.

The section is also amended to correct references to Sections 23608 and 23665.

**Gov't Code § 26638.5 (amended). Notice and process and court security services**

**Comment.** Section 26638.5 is amended to reflect unification of the municipal and superior courts in Sacramento County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 17, 1998.

**Gov't Code § 26638.6 (amended). Court security services unit**

**Comment.** Section 26638.6 is amended to reflect unification of the municipal and superior courts in Sacramento County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 17, 1998.

**Gov't Code § 26638.7 (amended). Chief deputy of court security services unit**

**Comment.** Section 26638.7 is amended to reflect unification of the municipal and superior courts in Sacramento County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 17, 1998.

The section is also amended to make clear that the person who occupies the position of chief deputy is a county employee.

**Gov't Code § 26638.8 (amended). Written policies**

**Comment.** Section 26638.8 is amended to reflect unification of the municipal and superior courts in Sacramento County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 17, 1998.

**Gov't Code § 26638.9 (amended). Complaints, budget, and staffing**

**Comment.** Section 26638.9 is amended to reflect unification of the municipal and superior courts in Sacramento County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 17, 1998.

**Gov't Code § 26638.10 (amended). Independent review team**

**Comment.** Section 26638.10 is amended to reflect unification of the municipal and superior courts in Sacramento County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 17, 1998.

**Gov't Code § 26638.11 (amended). No limitation or impairment of power to secure court-related services**

**Comment.** Section 26638.11 is amended to reflect unification of the municipal and superior courts in Sacramento County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 17, 1998.

The section is also amended to delete an obsolete reference to Section 68073, which no longer deals with power of the courts to secure the proper provision of court-related services. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77200 (state funding of trial court operations).

**Gov't Code § 26638.12 (added). Repeal of article**

**Comment.** Section 26638.12 is added to provide for the automatic repeal of Article 1.7 (commencing with Section 26638.1) in fifteen years.

**Gov't Code § 26639 (repealed). Consolidation of court-related services**

**Comment.** Section 26639 is repealed to reflect elimination of the marshal's office and consolidation of court-related services within the sheriff's office in Los Angeles County, effective January 1, 1994.

**Gov't Code § 26639 (added). Consolidation of court-related services**

**Comment.** Section 26639 reflects elimination of the marshal's office and consolidation of court-related services within the sheriff's office in Los Angeles County, effective January 1, 1994.

**Gov't Code § 26639.1 (repealed). Board's determination**

**Comment.** Section 26639.1 is repealed to reflect elimination of the marshal's office and consolidation of court-related services within the sheriff's office in Los Angeles County, effective January 1, 1994.

**Gov't Code § 26639.2 (amended). Bailiff courtroom assignment**

**Comment.** Section 26639.2 is amended to reflect unification of the municipal and superior courts in Los Angeles County pursuant to Article VI, Section 5(e), of the California Constitution, effective January 22, 2000.

**Gov't Code § 26639.3 (amended). Personnel of consolidated office**

**Comment.** Section 26639.3 is amended to reflect elimination of the marshal's office and consolidation of court-related services within the sheriff's office in Los Angeles County, effective January 1, 1994.

**Gov't Code § 26639.7 (added). Repeal of article**

**Comment.** Section 26639.7 is added to provide for the automatic repeal of Article 1.9 (commencing with Section 26639.5) in fifteen years.

**Gov't Code § 26665 (amended). Service of writs or other process**

**Comment.** Section 26665 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 26667 (repealed). Consolidation of duplicate services**

**Comment.** Section 26667 is repealed to reflect consolidation of court-related services in Orange County within the sheriff's office pursuant to former Section 69915, effective July 1, 2000.

**Gov't Code § 26668 (repealed). Consolidation of court-related services**

**Comment.** Section 26668 is repealed to reflect consolidation of court-related services in Riverside County within the sheriff's office pursuant to Section 72110, effective April 19, 1990.

**Gov't Code § 26671.1 (amended). Consolidation of sheriff and marshal offices**

**Comment.** Section 26671.1 is amended to delete references to former Sections 74644.1, 74644.2, and 74644.5.

The section is also amended to delete unnecessary references to Sections 71264-71269. For provisions relating to the sheriff, see Sections 26603 (superior court attendance), 26608, 26609, 26660-26665 (process and notices), 26611 (court crier), 26720-26751 (fees). See also Code Civ. Proc. § 262.4 (conveyances on sale of real estate).

**Gov't Code § 26671.4 (amended). Court-related services**

**Comment.** Section 26671.4 is amended to reflect unification of the municipal and superior courts in Santa Barbara County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 3, 1998.

**Gov't Code § 26671.5 (amended). Quality of service and bailiff assignments**

**Comment.** Subdivision (a) of Section 26671.5 is amended to reflect unification of the municipal and superior courts in Santa Barbara County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 3, 1998.

**Gov't Code § 26671.6 (amended). Court services oversight committee**

**Comment.** Subdivision (a) of Section 26671.6 is amended to reflect unification of the municipal and superior courts in Santa Barbara County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 3, 1998.

**Gov't Code § 26671.8 (amended). No limitation or impairment of power to secure court-related services**

**Comment.** Section 26671.8 is amended to reflect unification of the municipal and superior courts in Santa Barbara County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 3, 1998.

The section is also amended to delete an obsolete reference to Section 68073, which no longer deals with power of the courts to secure the proper provision of court-related services. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77200 (state funding of trial court operations).

**Gov't Code § 26672 (added). Repeal of article**

**Comment.** Section 26672 is added to provide for the automatic repeal of Article 3.5 (commencing with Section 26671) in fifteen years.

**Gov't Code § 26800 (repealed). County clerk acting as clerk of superior court**

**Comment.** Section 26800 is repealed to reflect elimination of the county clerk's role as ex officio clerk of the superior court. The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Gov't Code § 26827.1 (amended). Fee for clerk's preparation of order or decree in probate proceeding in Los Angeles County**

**Comment.** Section 26827.1 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Section 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

The reference to a county in which the population is 4,000,000 or more is revised to refer to Los Angeles County by name.

**Gov't Code § 26835.1 (amended). Authentication of documents**

**Comment.** Subdivision (b) of Section 26835.1 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Section 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities.

See Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Gov't Code § 26856 (amended). Fees for services of court clerk**

**Comment.** Section 26856 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Section 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Gov't Code § 27081 (amended). Deposit of jury fees and naturalization fees**

**Comment.** Section 27081 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Section 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Gov't Code § 27464 (amended). Suicide note**

**Comment.** Section 27464 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Section 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Gov't Code § 27706 (amended). Duties of public defender**

**Comment.** Subdivision (a) of Section 27706 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 29610 (amended). Convention expenses**

**Comment.** Section 29610 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

The section is also amended to reflect enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(l) ("trial court employee" defined), 71615(c)(5) (trial court as employer of all trial court employees), 71673 (authority of trial courts to establish terms and conditions of employment). For marshals who are county employees, this section is superseded by county ordinances or memoranda of understanding.

**Gov't Code § 31520 (amended). Board of retirement**

**Comment.** Section 31520 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 31555 (repealed). Participation in county retirement plan by municipal court employees**

**Comment.** Section 31555 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See also Section 71624 (retirement plans).

**Gov't Code § 31662.6 (amended). Retirement age of safety members**

**Comment.** Section 31662.6 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 31663 (amended). Retirement age of sheriff, undersheriff, marshal and other officers**

**Comment.** Section 31663 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

The reference to a county having a population over 503,000 but less than 600,000 as determined by Section 28020 as amended in 1961 is also revised to refer to San Bernardino County by name.

**Gov't Code § 41803.5 (amended). Prosecution of misdemeanor by city attorney**

**Comment.** Subdivision (a) of Section 41803.5 is amended to reflect the repeal of Section 71099, concerning prosecution of misdemeanor cases where a court is superseded by a municipal court.

**Gov't Code § 50920 (amended). "Peace officer" defined**

**Comment.** Section 50920 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. *Cf.* Code Civ. Proc. § 38 (judicial district).

**Gov't Code § 53069.4 (amended). Violation of ordinance**

**Comment.** Subdivision (b) of Section 53069.4 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 53075.6 (amended). Impoundment for operating as taxicab near airport or international border without taxicab certificate, license, or permit**

**Comment.** Section 53075.6 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 53075.61 (amended). Impoundment by transportation inspector for operating as taxicab without taxicab certificate, license, or permit**

**Comment.** Section 53075.61 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 61601.1 (amended). Abatement of graffiti**

**Comment.** Subdivision (b)(4) of Section 61601.1 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 68071 (amended). Effective date of trial court rules**

**Comment.** Section 68071 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 68072 (amended). Effective date of rules of Judicial Council, Supreme Court, or court of appeal**

**Comment.** Section 68072 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 68073 (amended). Responsibility for court operations and facilities**

**Comment.** Subdivisions (c) and (d) of Section 68073 are amended to delete language referring to “the judge” of the court. Every superior court has at least two judgeships as a result of trial court unification. See Section 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or otherwise, a reference to the judges of the court means the sole judge of the court. See Section 13 (plural includes singular).

Subdivision (e) is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 68074.1 (amended). Manner of affixing seal**

**Comment.** Section 68074.1 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 68077 (repealed). Seal of municipal court**

**Comment.** Section 68077 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 68082 (amended). Practice of law by court officers**

**Comment.** Section 68082 is amended to reflect the Judicial Council's authority to qualify the general statutory prohibition against the private practice of law by a subordinate judicial officer. See Section 69917 (practice of law by subordinate judicial officers).

The section is also amended to reflect the fact that all courts are “courts of record” pursuant to Article VI, Section 1, of the California Constitution.

The section is also amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Section 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Gov't Code § 68083 (repealed). Conversion of municipal court judgeship**

**Comment.** Section 68083 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 68090.7 (amended). Fee for automating recordkeeping system and converting document system to micrographics**

**Comment.** Section 68090.7 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 68093 (amended). Witness fees**

**Comment.** Section 68093 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 68096 (repealed). Witness fees and mileage in Tuolumne County**

**Comment.** Section 68096 is repealed to reflect:

(1) Elimination of the county clerk's role as ex officio clerk of the superior court. See former Section 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

(2) The fact that the witness fee provisions are obsolete. *Cf.* Sections 29603 (payments to jurors and witnesses), 68098 (witness fees in criminal cases); Penal Code § 1329 (witness fees and expenses in criminal cases); Welf. & Inst. Code § 664(b) (witness fees in juvenile court cases).

**Gov't Code § 68105 (amended). Certified shorthand reporter who intends to become citizen**

**Comment.** Section 68105 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 68108 (amended). Unpaid furlough days**

**Comment.** Subdivision (a) of Section 68108 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. Subdivision (a) is also amended to reflect enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(l) ("trial court employee" defined), 71615(c)(5) (trial court as employer of all trial court employees).

**Gov't Code § 68115 (amended). Emergency court operations**

**Comment.** Section 68115 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

The introductory paragraph is also amended to delete language referring to the sole judge. Every superior court has at least two judgeships as a result of trial court unification. See Section 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or otherwise, the reference to the "presiding judge" means the sole judge of the court. See Section 69508.5 (presiding judge).

Former subdivision (d) is deleted to reflect repeal of former Code of Civil Procedure Section 199. See 1975 Cal. Stat. ch. 593, § 1 and 1988 Cal. Stat. ch. 1245, § 1.

Subdivision (c) (former subdivision (f)) is amended to replace the reference to "two days" with "48 hours" for consistency with Penal Code Section 825.

Subdivision (d) (former subdivision (g)) is amended to add the word "court" for consistency with Penal Code Section 859b.

**Gov't Code § 68152 (amended). Retention of court records**

**Comment.** Subdivision (j) of Section 68152 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 68202 (amended). Annual salary of judges**

**Comment.** Section 68202 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 68206.2 (amended). Reimbursement for salary and per diem of substitute judge**

**Comment.** Subdivision (b) of Section 68206.2 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov’t Code § 68520 (repealed). Reporting requirements**

**Comment.** Section 68520 is repealed as obsolete, because the reports required by this section were due in 1992.

**Gov’t Code § 68540 (repealed). Additional compensation for municipal court judge assigned to superior court**

**Comment.** Section 68540 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov’t Code § 68542 (repealed). Expenses for travel to another county**

**Comment.** Section 68542 is repealed to reflect enactment of Section 69505 (business-related travel expenses of trial court judges and employees).

**Gov’t Code § 68542.5 (repealed). Expenses for travel within county**

**Comment.** Section 68542.5 is repealed to reflect enactment of Section 69505 (business-related travel expenses of trial court judges and employees).

**Gov’t Code § 68546 (repealed). Assignment of municipal court attachés to superior court**

**Comment.** Section 68546 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. *Cf.* former Section 71264 (municipal court served by marshal).

**Gov’t Code § 68562 (amended). Certification of court interpreters**

**Comment.** Subdivision (g) of Section 68562 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov’t Code § 68611 (repealed). Report on exemplary delay reduction program**

**Comment.** Section 68611 is repealed as obsolete, because the report required by this section was due in 1991 and the section became inoperative in 1992.

**Gov’t Code § 68618.5 (repealed). Exemplary trial court delay reduction programs in Sonoma, Humboldt, Napa, Yolo, Fresno, San Joaquin, and Santa Barbara Counties**

**Comment.** Section 68618.5 is repealed as obsolete. This section became inoperative on July 1, 1992, by its own terms.

**Gov’t Code § 68620 (amended). Delay reduction program for limited civil cases**

**Comment.** Subdivision (a) of Section 68620 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Code Civ. Proc. § 85 (limited civil cases) & Comment.

**Gov’t Code § 69508.5 (amended). Presiding judge**

**Comment.** Subdivision (d) of Section 69508.5 generalizes provisions that formerly referred to the presiding judge “or sole judge.” See Sections 23396, 68115, 68546, 69753, 71341, 72190, 72190.1, 72190.2, 72196; Code Civ. Proc. § 404.9; Penal Code §§ 924.4, 6031.1; Welf. & Inst. Code § 1737. Every superior court has at least two judgeships as a result of trial court unification. See Section 69580 *et seq.* (number of judges).

**Gov't Code § 69510 (amended). Superior court sessions at location of facility**

**Comment.** Section 69510 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 70212(b) (preexisting court locations retained as superior court locations).

The section is also amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Section 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Gov't Code § 69510.5 (amended). Sessions at any location within Orange County**

**Comment.** Section 69510.5 is amended to reflect unification of the municipal and superior courts in Orange County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 10, 1998.

**Gov't Code § 69510.6 (amended). Sessions at Crestmoor High School in San Mateo County**

**Comment.** Section 69510.6 is amended to reflect unification of the municipal and superior courts in San Mateo County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 12, 1998.

**Gov't Code § 69580 (amended). Number of judges in Alameda County**

**Comment.** Section 69580 is amended to reflect unification of the municipal and superior courts in Alameda County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 31, 1998. See former Section 73075 (number of judges in Alameda County municipal courts).

**Gov't Code § 69580.3 (added). Number of judges in Alpine County**

**Comment.** Section 69580.3 is added to reflect unification of the municipal and superior courts in Alpine County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court and municipal court judges in a county).

**Gov't Code § 69580.7 (added). Number of judges in Amador County**

**Comment.** Section 69580.7 is added to reflect unification of the municipal and superior courts in Amador County pursuant to Article VI, Section 5(e), of the California Constitution, effective July, 1, 1998. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court and municipal court judges in a county).

**Gov't Code § 69581 (amended). Number of judges in Butte County**

**Comment.** Section 69581 is amended to reflect unification of the municipal and superior courts in Butte County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998. See former Section 74935 (number of judges in Butte County municipal courts).

**Gov't Code § 69581.3 (added). Number of judges in Calaveras County**

**Comment.** Section 69581.3 is added to reflect unification of the municipal and superior courts in Calaveras County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court and municipal court judges in a county).

**Gov't Code § 69581.7 (added). Number of judges in Colusa County**

**Comment.** Section 69581.7 is added to reflect unification of the municipal and superior courts in Colusa County pursuant to Article VI, Section 5(e), of the California Constitution, effective September 1, 1998. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court and municipal court judges in a county).

**Gov't Code § 69582 (amended). Number of judges in Contra Costa County**

**Comment.** Section 69582 is amended to reflect unification of the municipal and superior courts in Contra Costa County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 8, 1998. See former Section 73341 (number of judges in Contra Costa County municipal courts).

**Gov't Code § 69582.3 (added). Number of judges in Del Norte County**

**Comment.** Section 69582.3 is added to reflect unification of the municipal and superior courts in Del Norte County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 17, 1998. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court and municipal court judges in a county).

**Gov't Code § 69582.5 (amended). Number of judges in El Dorado County**

**Comment.** Section 69582.5 is amended to reflect unification of the municipal and superior courts in El Dorado County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 1, 1998. See former Section 71040.7 (number of judges in El Dorado County municipal courts).

**Gov't Code § 69583 (amended). Number of judges in Fresno County**

**Comment.** Section 69583 is amended to reflect unification of the municipal and superior courts in Fresno County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See former Sections 73681, 73698.2 (number of judges in Fresno County municipal courts).

**Gov't Code § 69583.5 (added). Number of judges in Glenn County**

**Comment.** Section 69583.5 is added to reflect unification of the municipal and superior courts in Glenn County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 31, 1998. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court judges in a county); see also former Section 74761 (number of judges in Glenn County municipal court).

**Gov't Code § 69584 (amended). Number of judges in Humboldt County**

**Comment.** Section 69584 is amended to reflect unification of the municipal and superior courts in Humboldt County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 10, 1998. See former Section 73661.5 (number of judges in Humboldt County municipal courts).

**Gov't Code § 69584.5 (amended). Number of judges in Imperial County**

**Comment.** Section 69584.5 is amended to reflect unification of the municipal and superior courts in Imperial County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 22, 1998. See former Section 73731 (number of judges in Imperial County municipal courts).

**Gov't Code § 69584.7 (added). Number of judges in Inyo County**

**Comment.** Section 69584.7 is added to reflect unification of the municipal and superior courts in Inyo County pursuant to Article VI, Section 5(e), of the California Constitution, effective July

1, 1998. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court and municipal court judges in a county).

**Gov't Code § 69585 (amended). Number of judges in Kern County**

**Comment.** Section 69585 is amended to reflect unification of the municipal and superior courts in Kern County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 2000. See former Section 73431 (number of judges in Kern County municipal courts).

**Gov't Code § 69585.5 (amended). Number of judges in Kings County**

**Comment.** Section 69585.5 is amended to reflect unification of the municipal and superior courts in Kings County pursuant to Article VI, Section 5(e), of the California Constitution, effective February 8, 2001. See former Sections 73392, 73401 (number of judges in Kings County municipal courts).

**Gov't Code § 69585.7 (amended). Number of judges in Lake County**

**Comment.** Section 69585.7 is amended to reflect unification of the municipal and superior courts in Lake County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 30, 1998. See former Section 73581 (number of judges in Lake County municipal courts).

**Gov't Code § 69585.9 (added). Number of judges in Lassen County**

**Comment.** Section 69585.9 is added to reflect unification of the municipal and superior courts in Lassen County pursuant to Article VI, Section 5(e), of the California Constitution, effective December 31, 1998. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court and municipal court judges in a county).

**Gov't Code § 69586 (amended). Number of judges in Los Angeles County**

**Comment.** Section 69586 is amended to reflect unification of the municipal and superior courts in Los Angeles County pursuant to Article VI, Section 5(e), of the California Constitution, effective January 22, 2000. See former Sections 72602, 72602.1, 72602.2, 72602.3, 72602.4, 72602.5, 72602.6, 72602.7, 72602.9, 72602.11, 72602.12, 72602.13, 72602.14, 72602.15, 72602.20 (number of judges in Los Angeles County municipal courts). The last clause is deleted as unnecessary. *Cf.* Section 69741.5 (proceedings by “any one or more of the judges” sitting in superior court session effectual as though all judges of court presided at session).

**Gov't Code § 69587 (amended). Number of judges in Madera County**

**Comment.** Section 69587 is amended to reflect unification of the municipal and superior courts in Madera County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See former Section 73752 (number of judges in Madera County municipal courts).

**Gov't Code § 69588 (amended). Number of judges in Marin County**

**Comment.** Section 69588 is amended to reflect unification of the municipal and superior courts in Marin County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 11, 1998. See former Section 73771 (number of judges in Marin County municipal courts).

**Gov't Code § 69588.3 (added). Number of judges in Mariposa County**

**Comment.** Section 69588.3 is added to reflect unification of the municipal and superior courts in Mariposa County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court judges in a county); see also former Section 73783.2 (number of judges in Mariposa County municipal courts).

**Gov't Code § 69588.7 (added). Number of judges in Mendocino County**

**Comment.** Section 69588.7 supersedes former Section 69608 for the purpose of alphabetization. It reflects unification of the municipal and superior courts in Mendocino County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 1, 1998. See former Section 73784.1 (number of judges in Mendocino County municipal courts).

**Gov't Code § 69589 (amended). Number of judges in Merced County**

**Comment.** Section 69589 is amended to reflect unification of the municipal and superior courts in Merced County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 3, 1998. See former Section 73791 (number of judges in Merced County municipal courts).

**Gov't Code § 69589.3 (added). Number of judges in Modoc County**

**Comment.** Section 69589.3 is added to reflect unification of the municipal and superior courts in Modoc County pursuant to Article VI, Section 5(e), of the California Constitution, effective September 20, 1999. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court and municipal court judges in a county).

**Gov't Code § 69589.7 (added). Number of judges in Mono County**

**Comment.** Section 69589.7 is added to reflect unification of the municipal and superior courts in Mono County pursuant to Article VI, Section 5(e), of the California Constitution, effective February 1, 1999. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court and municipal court judges in a county).

**Gov't Code § 69590 (amended). Number of judges in Monterey County**

**Comment.** Section 69590 is amended to reflect unification of the municipal and superior courts in Monterey County pursuant to Article VI, Section 5(e), of the California Constitution, effective December 18, 2000. See former Section 73562 (number of judges in Monterey County municipal courts).

**Gov't Code § 69590.5 (amended). Number of judges in Napa County**

**Comment.** Section 69590.5 is amended to reflect unification of the municipal and superior courts in Napa County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998. See former Section 74949 (number of judges in Napa County municipal courts).

**Gov't Code § 69590.7 (amended). Number of judges in Nevada County**

**Comment.** Section 69590.7 is amended to reflect unification of the municipal and superior courts in Nevada County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See former Section 73821 (number of judges in Nevada County municipal courts).

**Gov't Code § 69591 (amended). Number of judges in Orange County**

**Comment.** Section 69591 is amended to reflect unification of the municipal and superior courts in Orange County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 10, 1998. See former Section 74001 (number of judges in Orange County municipal courts).

**Gov't Code § 69591.3 (added). Number of judges in Placer County**

**Comment.** Section 69591.3 supersedes former Section 69609 for the purpose of alphabetization. It reflects unification of the municipal and superior courts in Placer County

pursuant to Article VI, Section 5(e), of the California Constitution, effective June 30, 1998. See former Section 74021 (number of judges in Placer County municipal courts).

**Gov't Code § 69591.7 (added). Number of judges in Plumas County**

**Comment.** Section 69591.7 is added to reflect unification of the municipal and superior courts in Plumas County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court and municipal court judges in a county).

**Gov't Code § 69592 (amended). Number of judges in Riverside County**

**Comment.** Section 69592 is amended to reflect unification of the municipal and superior courts in Riverside County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 29, 1998. See former Section 74131 (number of judges in Riverside County municipal courts).

**Gov't Code § 69593 (amended). Number of judges in Sacramento County**

**Comment.** Section 69593 is amended to reflect unification of the municipal and superior courts in Sacramento County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 17, 1998. See former Sections 73871, 74191, 74206 (number of judges in Sacramento County municipal courts).

**Gov't Code § 69593.5 (added). Number of judges in San Benito County**

**Comment.** Section 69593.5 is added to reflect unification of the municipal and superior courts in San Benito County pursuant to Article VI, Section 5(e), of the California Constitution, effective September 1, 1998. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court and municipal court judges in a county).

**Gov't Code § 69594 (amended). Number of judges in San Bernardino County**

**Comment.** Section 69594 is amended to reflect unification of the municipal and superior courts in San Bernardino County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 10, 1998. See former Section 73101.5 (number of judges in San Bernardino County municipal courts).

**Gov't Code § 69595 (amended). Number of judges in San Diego County**

**Comment.** Section 69595 is amended to reflect unification of the municipal and superior courts in San Diego County pursuant to Article VI, Section 5(e), of the California Constitution, effective December 1, 1998. See former Sections 73641, 73951, 74341, 74741 (number of judges in San Diego County municipal courts).

**Gov't Code § 69595.5 (amended). Concurrent daily sessions**

**Comment.** Section 69595.5 is amended to reflect unification of the municipal and superior courts in San Diego County pursuant to Article VI, Section 5(e), of the California Constitution, effective December 1, 1998. *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication). The boundaries of the former South Bay Municipal Court District are described in Section 74740.

**Gov't Code § 69596 (amended). Number of judges in City and County of San Francisco**

**Comment.** Section 69596 is amended to reflect unification of the municipal and superior courts in the City and County of San Francisco pursuant to Article VI, Section 5(e), of the California Constitution, effective December 31, 1998. See former Section 74501 (number of judges in City and County of San Francisco municipal courts). The last clause is deleted as unnecessary. *Cf.*

Section 69741.5 (proceedings by “any one or more of the judges” sitting in superior court session effectual as though all judges of court presided at session).

**Gov’t Code § 69598 (amended). Number of judges in San Joaquin County**

**Comment.** Section 69598 is amended to reflect unification of the municipal and superior courts in San Joaquin County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 8, 1998. See former Sections 73481, 73702, 74801 (number of judges in San Joaquin County municipal courts).

**Gov’t Code § 69598.5 (added). Number of judges in San Luis Obispo County**

**Comment.** Section 69598.5 supersedes former Section 69613 for the purpose of alphabetization. It reflects unification of the municipal and superior courts in San Luis Obispo County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See former Section 74601 (number of judges in San Luis Obispo County municipal courts).

**Gov’t Code § 69599 (amended). Number of judges in San Mateo County**

**Comment.** Section 69599 is amended to reflect unification of the municipal and superior courts in San Mateo County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 12, 1998. See former Section 73521 (number of judges in San Mateo County municipal courts).

**Gov’t Code § 69599.5 (amended). Number of judges in Santa Barbara County**

**Comment.** Subdivision (a) of Section 69599.5 is amended to reflect unification of the municipal and superior courts in Santa Barbara County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 3, 1998. See former Section 74641 (number of judges in Santa Barbara County municipal courts).

Subdivision (b) is deleted to reflect enactment of the Trial Court Employment Protection and Governance Act. See Section 71622 (subordinate judicial officers).

**Gov’t Code § 69600 (amended). Number of judges in Santa Clara County**

**Comment.** Section 69600 is amended to reflect unification of the municipal and superior courts in Santa Clara County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 30, 1998. See former Section 74661 (number of judges in Santa Clara County municipal courts).

**Gov’t Code § 69600.5 (added). Number of judges in Santa Cruz County**

**Comment.** Section 69600.5 supersedes former Section 69614 for the purpose of alphabetization. It reflects unification of the municipal and superior courts in Santa Cruz County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See former Section 74691 (number of judges in Santa Cruz County municipal courts).

**Gov’t Code § 69601 (amended). Number of judges in Shasta County**

**Comment.** Section 69601 is amended to reflect unification of the municipal and superior courts in Shasta County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998. See former Section 74981 (number of judges in Shasta County municipal courts).

**Gov’t Code § 69601.3 (added). Number of judges in Sierra County**

**Comment.** Section 69601.3 is added to reflect unification of the municipal and superior courts in Sierra County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court and municipal court judges in a county).

**Gov't Code § 69601.7 (added). Number of judges in Siskiyou County**

**Comment.** Section 69601.7 is added to reflect unification of the municipal and superior courts in Siskiyou County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 4, 1998. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court and municipal court judges in a county); see also former Section 74721 (number of judges in Siskiyou County municipal court).

**Gov't Code § 69602 (amended). Number of judges in Solano County**

**Comment.** Section 69602 is amended to reflect unification of the municipal and superior courts in Solano County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 3, 1998. See former Sections 73672, 74841 (number of judges in Solano County municipal courts).

**Gov't Code § 69603 (amended). Number of judges in Sonoma County**

**Comment.** Section 69603 is amended to reflect unification of the municipal and superior courts in Sonoma County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 12, 1998. See former Section 74708 (number of judges in Sonoma County municipal courts).

**Gov't Code § 69604 (amended). Number of judges in Stanislaus County**

**Comment.** Section 69604 is amended to reflect unification of the municipal and superior courts in Stanislaus County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 31, 1998. See former Section 74781 (number of judges in Stanislaus County municipal courts).

**Gov't Code § 69604.3 (added). Number of judges in Sutter County**

**Comment.** Section 69604.3 supersedes former Section 69615 for the purpose of alphabetization. It reflects unification of the municipal and superior courts in Sutter County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998. See former Section 74831 (number of judges in Sutter County municipal courts).

**Gov't Code § 69604.5 (added). Number of judges in Tehama County**

**Comment.** Section 69604.5 supersedes former Section 69607 for the purpose of alphabetization. It reflects unification of the municipal and superior courts in Tehama County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 1, 1998. See former Section 74861 (number of judges in Tehama County municipal courts).

**Gov't Code § 69604.7 (added). Number of judges in Trinity County**

**Comment.** Section 69604.7 is added to reflect unification of the municipal and superior courts in Trinity County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See Cal. Const. art. VI, §§ 4, 5 (minimum number of superior court and municipal court judges in a county).

**Gov't Code § 69605 (amended). Number of judges in Tulare County**

**Comment.** Section 69605 is amended to reflect unification of the municipal and superior courts in Tulare County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 27, 1998. See former Section 74921 (number of judges in Tulare County municipal courts).

**Gov't Code § 69605.5 (amended). Number of judges in Tuolumne County**

**Comment.** Section 69605.5 is amended to reflect unification of the municipal and superior courts in Tuolumne County pursuant to Article VI, Section 5(e), of the California Constitution,

effective April 23, 1999. See former Section 74994 (number of judges in Tuolumne County municipal courts).

**Gov't Code § 69606 (amended). Number of judges in Ventura County**

**Comment.** Section 69606 is amended to reflect unification of the municipal and superior courts in Ventura County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 10, 1998. See former Section 74901 (number of judges in Ventura County municipal courts).

**Gov't Code § 69607 (repealed). Number of judges in Tehama County**

**Comment.** Section 69607 is superseded by Section 69604.5 for the purpose of alphabetization.

**Gov't Code § 69608 (repealed). Number of judges in Mendocino County**

**Comment.** Section 69608 is superseded by Section 69588.7 for the purpose of alphabetization.

**Gov't Code § 69609 (repealed). Number of judges in Placer County**

**Comment.** Section 69609 is superseded by Section 69591.3 for the purpose of alphabetization.

**Gov't Code § 69610 (amended). Number of judges in Yolo County**

**Comment.** Section 69610 is amended to reflect unification of the municipal and superior courts in Yolo County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998. See former Section 74961 (number of judges in Yolo County municipal courts).

**Gov't Code § 69611 (amended). Number of judges in Yuba County**

**Comment.** Section 69611 is amended to reflect unification of the municipal and superior courts in Yuba County pursuant to Article VI, Section 5(e), of the California Constitution, effective April 16, 1999. See former Section 74915.5 (number of judges in Yuba County municipal courts).

**Gov't Code § 69613 (repealed). Number of judges in San Luis Obispo County**

**Comment.** Section 69613 is superseded by Section 69598.5 for the purpose of alphabetization.

**Gov't Code § 69614 (repealed). Number of judges in Santa Cruz County**

**Comment.** Section 69614 is superseded by Section 69600.5 for the purpose of alphabetization.

**Gov't Code § 69615 (repealed). Number of judges in Sutter County**

**Comment.** Section 69615 is superseded by Section 69604.3 for the purpose of alphabetization.

**Gov't Code § 69648 (repealed). Traveling expenses in Los Angeles County**

**Comment.** Section 69648 is repealed to reflect:

(1) Enactment of Section 69505 (business-related travel expenses of trial court judges and employees).

(2) Unification of the municipal and superior courts in Los Angeles County pursuant to Article VI, Section 5(e), of the California Constitution, effective January 22, 2000.

**Gov't Code § 69649 (amended). Superior court sessions in Los Angeles County**

**Comment.** Section 69649 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Section 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Sections 69840 (powers,

duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Gov't Code § 69741 (amended). Regular and special sessions**

**Comment.** Section 69741 is amended to correct the reference to former Section 68099.

The section is also amended to delete language referring to “the judge” of the court. Every superior court has at least two judgeships as a result of trial court unification. See Section 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or otherwise, a reference to the judges of the court means the sole judge of the court. See Section 13 (plural includes singular).

**Gov't Code § 69743 (amended). Superior court additional sessions**

**Comment.** Section 69743 is amended to reflect elimination of the county clerk’s role as ex officio clerk of the superior court. See former Section 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Gov't Code § 69744 (amended). Superior court sessions at various locations**

**Comment.** Section 69744 is amended to reflect elimination of the county clerk’s role as ex officio clerk of the superior court. See former Section 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

The section is also amended to delete language referring to “the judge” of the court. Every superior court has at least two judgeships as a result of trial court unification. See Section 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or otherwise, a reference to the judges of the court means the sole judge of the court. See Section 13 (plural includes singular).

**Gov't Code § 69744.5 (amended). Superior court sessions in particular locations**

**Comment.** Section 69744.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 70212(b) (preexisting court locations retained as superior court locations).

The section is also amended to reflect elimination of the county clerk’s role as ex officio clerk of the superior court. See former Section 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

The section is also amended to delete language referring to “the judge” of the court. Every superior court has at least two judgeships as a result of trial court unification. See Section 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or otherwise, a reference to the judges of the court means the sole judge of the court. See Section 13 (plural includes singular).

**Gov't Code § 69750 (repealed). Travel within county to city where not regularly assigned**

**Comment.** Section 69750 is repealed to reflect:

(1) Enactment of Section 69505 (business-related travel expenses of trial court judges and employees).

(2) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 69753 (repealed). Superior court session at municipal court location**

**Comment.** Section 69753 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations).

**Gov't Code § 69801 (repealed). Extra sessions in San Bernardino County**

**Comment.** Section 69801 is repealed as obsolete. The pilot project was never established and is no longer necessary. See Penal Code § 977 (video arraignments).

**Gov't Code § 69840 (added). Powers, duties, and responsibilities of clerk of court and deputy clerk of court**

**Comment.** Section 69840 is added to reflect:

(1) Elimination of the county clerk's role as ex officio clerk of the superior court. See former Section 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See also Section 71620 (trial court personnel).

(2) The corresponding elimination of the deputy county clerk's role as ex officio deputy clerk of the superior court. See Section 24100 (deputy included in principal's name). Subdivision (b) makes clear that Article 7 (commencing with Section 1190) of Chapter 1 of Division 4 of Title 1 applies to deputy court clerks. See also Section 71620 Comment (Article 7 applicable to all deputy court officers).

**Gov't Code § 69890 (repealed). Secretary to the judges**

**Comment.** Section 69890 is repealed to reflect:

(1) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system).

(2) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

**Gov't Code § 69891.1 (repealed). Secretary to the judges in Solano County**

**Comment.** Section 69891.1 is repealed to reflect:

(1) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court).

(2) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

**Gov't Code § 69891.5 (repealed). Salary of judicial secretary or stenographer in Sonoma County**

**Comment.** Section 69891.5 is repealed to reflect enactment of the Trial Court Employment Protection and Governance Act. See Sections 71620 (trial court personnel), 71623 (salaries).

**Gov't Code § 69892 (repealed). Judicial secretaries**

**Comment.** Section 69892 is repealed to reflect enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court).

**Gov't Code § 69892.1 (repealed). Court executive officer/clerk in Los Angeles County**

**Comment.** Section 69892.1 is repealed to reflect:

(1) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71673 (authority of court).

(2) Enactment of Section 69505 (business-related travel expenses of trial court judges and employees).

**Gov't Code § 69893.5 (repealed). Court personnel in Sacramento County**

**Comment.** Section 69893.5 is repealed to reflect:

(1) Unification of the municipal and superior courts in Sacramento County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 17, 1998.

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71625 (accrued leave benefits), 71640-71645 (employment selection and advancement), 71673 (authority of court).

**Gov't Code § 69894 (repealed). Court personnel in Los Angeles County**

**Comment.** Section 69894 is repealed to reflect enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Section 69941 (appointment of official reporters).

**Gov't Code § 69894.1 (repealed). Salaries of court personnel in Los Angeles County**

**Comment.** Section 69894.1 is repealed to reflect enactment of the Trial Court Employment Protection and Governance Act. See Sections 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71673 (authority of court).

**Gov't Code § 69895 (repealed). Court executive officer in City and County of San Francisco**

**Comment.** Section 69895 is repealed to reflect:

(1) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries). See also Code Civ. Proc. § 195 (jury commissioner).

(2) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

**Gov't Code § 69896 (repealed). Secretary serving as jury commissioner**

**Comment.** Section 69896 is repealed to reflect enactment of the Trial Court Employment Protection and Governance Act. See Section 71623 (salaries). See also Code Civ. Proc. § 195 (jury commissioner).

**Gov't Code § 69897 (repealed). Probate commissioners**

**Comment.** Section 69897 is superseded by Section 71622 (subordinate judicial officers) and Code of Civil Procedure Section 259 (powers of court commissioners).

**Gov't Code § 69898 (repealed). Appointment of court executive officer**

**Comment.** Section 69898 is superseded by Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court) and 71620 (trial court personnel).

**Gov't Code § 69899.5 (repealed). Court personnel in Orange County**

**Comment.** Section 69899.5 is repealed to reflect:

(1) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71630-71639.3 (labor relations), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court).

(2) Enactment of Section 69505 (business-related travel expenses of trial court judges and employees).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations); Cal. R. Ct. 810 (court operations).

**Gov't Code § 69900 (repealed). Court personnel in City and County of San Francisco**

**Comment.** Section 69900 is repealed to reflect:

(1) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(*l*) ("trial court employee" defined), 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71625 (accrued leave benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(2) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

**Gov't Code § 69901 (repealed). Expense allowances**

**Comment.** Section 69901 is repealed to reflect:

(1) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(*l*) ("trial court employee" defined), 71623 (salaries), 71673 (authority of court).

(2) Enactment of Section 69505 (business-related travel expenses of trial court judges and employees).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

**Gov't Code § 69903.3 (repealed). Extra compensation for administrative assistant and chief calendar deputy in Alameda County**

**Comment.** Section 69903.3 is repealed to reflect enactment of the Trial Court Employment Protection and Governance Act. See Sections 71620 (trial court personnel), 71623 (salaries).

**Gov't Code § 69904 (repealed). Court personnel in San Diego County**

**Comment.** Section 69904 is repealed to reflect enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system).

**Gov't Code § 69906 (repealed). Court personnel in San Bernardino County**

**Comment.** Section 69906 is repealed to reflect:

(1) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(2) Enactment of the Trial Court Funding Act. See Section 77003, Cal. R. Ct. 810 ("court operations" defined).

**Gov't Code § 69908 (repealed). Court personnel in Madera County**

**Comment.** Section 69908 is repealed to reflect enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

**Gov't Code § 69911 (repealed). Court personnel in Kern County**

**Comment.** Section 69911 is repealed to reflect enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters); Code Civ. Proc. § 195 (jury commissioner).

**Gov't Code § 69912 (repealed). Deputy court clerk in San Luis Obispo County**

**Comment.** Section 69912 is repealed to reflect enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Section 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court).

**Gov't Code § 69915 (repealed). Consolidation of court-related services**

**Comment.** Section 69915 is repealed to reflect:

(1) Abolition of the marshal's office and the transfer of court-related services provided by the marshal within Orange County to the sheriff's department, effective July 1, 2000.

(2) Consolidation of court-related services in Merced and Shasta Counties within their respective marshal offices. See former Section 26603.1 (Merced County) and Section 72116 (Shasta County).

**Gov’t Code § 69916 (added). Marshal of Merced County Superior Court**

**Comment.** The first sentence of Section 69916 continues the first sentence of the first paragraph of former Section 73796, replacing a reference to the municipal court with a reference to the superior court.

The second sentence continues the second paragraph of former Section 73796, omitting a reference to the municipal court as obsolete.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 73796 that are not continued, see the Comment to former Article 12.5 (commencing with former Section 73790).

**Gov’t Code § 69917 (added). Practice of law by subordinate judicial officers**

**Comment.** Section 69917 continues and generalizes provisions that formerly governed the private practice of law by commissioners and referees of the superior and municipal courts. See, e.g., former Sections 70141.1 (superior court commissioner in El Dorado County), 70142 (superior court commissioners), 72190 (municipal court commissioners), 72450 (municipal court traffic trial commissioners), 74925 (municipal court commissioner in Tulare County). See also Cal. Code Jud. Ethics, Canons 4G (practice of law), 6 (compliance with Code). It makes clear that the prohibition on the practice of law applies only to subordinate judicial officers appointed pursuant to Article VI, Section 22 of the California Constitution.

Section 69917 authorizes the Judicial Council to establish exceptions to the general statutory prohibition to allow subordinate judicial officers, or classes of subordinate judicial officers, to engage in the private practice of law. For example, special provisions formerly permitted certain types or classes of municipal court commissioners and referees to engage in the private practice of law before any court except the court in which they served. See, e.g., former Sections 74703(e) (temporary municipal court traffic referees in Sonoma County), 74982(d) (part-time municipal court commissioners in Shasta County).

**Gov’t Code § 69941 (amended). Appointment of official reporters**

**Comment.** Section 69941 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See former Section 72194 (municipal court reporters).

The first sentence is amended to incorporate the general appointment standard of the Trial Court Employment Protection and Governance Act. See, e.g., Section 71620 (trial court personnel).

The last sentence of Section 69941 is deleted as obsolete. Official reporters and official reporters pro tempore who are court employees are subject to the provisions of the Trial Court Employment Protection and Governance Act. See, e.g., Sections 71620 (trial court personnel), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). The employment status of official reporters and official reporters pro tempore who are not court employees (including temporary employees hired through agencies and individuals hired by the trial court pursuant to an independent contractor agreement) is subject to the terms of their appointment.

The section is also amended to delete language referring to “the judge” of the court. Every superior court has at least two judgeships as a result of trial court unification. See Section 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or otherwise, a reference to the judges of the court means the sole judge of the court. See Section 13 (plural includes singular).

**Gov't Code § 69942 (amended). Qualifications of official reporter**

**Comment.** Section 69942 is amended to delete provisions superseded by Business and Professions Code Sections 8016 (certificate required) and 8020 (qualifications for certification).

**Gov't Code § 69944 (amended). Completion and filing of transcriptions of notes**

**Comment.** Section 69944 is amended to correct the reference to former subdivision (d) of Business and Professions Code Section 8025.

**Gov't Code § 69945 (repealed). Excuse of official reporter**

**Comment.** Section 69945 is superseded by Section 69941 (appointment of official reporters).

**Gov't Code § 69952 (amended). Payment from Trial Court Operations Fund**

**Comment.** Section 69952 is amended to reflect enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Section 68073 (responsibility for court operations and facilities).

The section is also amended for consistency of terminology. See Section 69941 (appointment of official reporters).

**Gov't Code § 69955 (amended). Reporting notes**

**Comment.** Subdivisions (a) and (g) of Section 69955 are amended for consistency of terminology. See Section 69941 (appointment of official reporters).

**Gov't Code § 69957 (repealed). Assignment to municipal court**

**Comment.** Section 69957 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 69957 (added). Use of electronic equipment**

**Comment.** Section 69957 continues the substance of former Section 72194.5, with revisions to reflect:

- (1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.
- (2) Consistency of terminology. See, e.g., Section 69941 (appointment of official reporters). For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code § 69958 (repealed). Assignment to municipal court within discretion of presiding judge**

**Comment.** Section 69958 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 69959 (repealed). Termination of assignment to municipal court**

**Comment.** Section 69959 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code §§ 70140-70148 (repealed). Court commissioners**

**Comment.** Sections 70140-70148 are repealed to reflect:

- (1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.
- (2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71612 (existing terms of employment not affected), 71615(c)(1) (preservation of employees' job

classifications), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71626 (retiree group insurance benefits), 71626.5 (county retiree group insurance benefits), 71629 (trial court employment benefits not affected), 71643 (excluded positions), 71673 (authority of court). See also Section 69917 (practice of law by subordinate judicial officers); Fam. Code §§ 4250-4253 (child support commissioners).

(3) Enactment of Section 69505 (business-related travel expenses of trial court judges and employees).

(4) Enactment of the Trial Court Funding Act. See Section 77200 (state funding of trial court operations).

**Gov't Code § 70141.11 (added). Court commissioners**

**Article 13. Court Commissioners**

**§ 70141.11. Court commissioners**

**Comment.** Section 70141.11 continues the last sentence of former Section 70141.11 (1995 Cal. Stat. ch. 91, § 59), with nonsubstantive revisions to clarify its interrelationship with Code of Civil Procedure Section 269.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 70141.11 that are not continued, see the Comment to former Article 13 (commencing with former Section 70140).

**Gov't Code § 70214.5 (repealed). Conversion of Contra Costa County referees to commissioners**

**Comment.** Section 70214.5 is repealed to reflect enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71622 (subordinate judicial officers).

**Gov't Code § 70214.6 (repealed). Conversion of Santa Barbara County traffic referee to commissioner**

**Comment.** Section 70214.6 is repealed to reflect enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71622 (subordinate judicial officers).

**Gov't Code § 70219 (added). Judicial Council and Law Revision Commission studies and recommendations**

**Comment.** Section 70219 continues former Section 70219 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 71001-71009 (repealed). General provisions**

**Comment.** Sections 71001-71009 are repealed to:

(1) Reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. *Cf.* former Section 71264 (municipal court served by marshal).

(2) Reflect elimination of the justice court pursuant to Article VI, Sections 1 and 5(b), of the California Constitution.

(3) Eliminate redundant and obsolete material. See former Sections 71006, 71009.

**Gov't Code § 71002 (added). General provisions**

**Article 1. General Provisions**

**§ 71002. Municipal court facilities**

**Comment.** Section 71002 continues former Section 71002 without change.  
For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 71040-71046 (repealed). Creation of judicial districts**

**Comment.** Sections 71040-71046 are repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. *Cf.* Sections 71042.5 (preservation of judicial districts for purpose of publication), 71042.6 (map to establish district boundaries), 71043 (determination of population of judicial district), former Section 71264 (municipal court served by marshal).

**Gov't Code §§ 71042.5-71043 (added). Preservation of judicial districts**

**Article 2. Preservation of Judicial Districts**

**§ 71042.5. Preservation of judicial districts for purpose of publication**

**Comment.** Section 71042.5 continues former Section 71042.5 without substantive change.  
For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 71042.6. Map to establish district boundaries**

**Comment.** Section 71042.6 continues the first and third paragraphs of former Section 71042.6 without substantive change. The second paragraph of former Section 71042.6 is deleted as obsolete.

For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 71043. Determination of population of judicial district**

**Comment.** Section 71043 continues former Section 71043 without change, except revisions to extend it to a former judicial district.

For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 71080-71100 (repealed). Personnel, records, and cases of superseded courts**

**Comment.** Sections 71080-71100 are repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. *Cf.* former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(l) ("trial court employee" defined), 71615(c)(5) (trial court as employer of all trial court employees), 71620(a) (job classifications and appointments), 71623 (salaries).

**Gov't Code § 71094 (added). Court superseded by municipal court**

**Article 3. Court Superseded by Municipal Court**

**§ 71094. Service in court superseded by municipal court**

**Comment.** Section 71094 continues former Section 71094 without substantive change.  
For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov’t Code §§ 71140-71145.1 (repealed). Qualifications, election, and term of office of judges and other personnel**

**Comment.** Sections 71140-71145.1 are repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. For qualifications of judges, see Cal. Const. art. VI, § 15. For election and terms of judges, see Cal. Const. art. VI, § 16.

**Gov’t Code §§ 71141-71146 (added). Election and term of office of municipal court judge**

Article 4. Election and Term of Office of Municipal Court Judge

**§ 71141. Time of election of municipal court judge**

**Comment.** Section 71141 continues former Section 71141 without change. For election of a municipal court judge who became a superior court judge through trial court unification, see Section 70211.

For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 71143. Application of Elections Code provisions**

**Comment.** Section 71143 continues former Section 71143 without change. For election of a municipal court judge who became a superior court judge through trial court unification, see Section 70211.

For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 71144. Time of qualification**

**Comment.** Section 71144 continues former Section 71144 without substantive change. For election of a municipal court judge who became a superior court judge through trial court unification, see Section 70211.

For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 71145. Term of office of municipal court judge**

**Comment.** Section 71145 continues former Section 71145 without change. For election of a municipal court judge who became a superior court judge through trial court unification, see Section 70211.

For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 71145.1. Term of office of first judge of municipal court**

**Comment.** Section 71145.1 continues former Section 71145.1 without substantive change. For election of a municipal court judge who became a superior court judge through trial court unification, see Section 70211.

For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 71146. Sunset date**

**Comment.** Section 71146 is added to ensure that Sections 71141-71145.1 are repealed once they become obsolete.

**Gov’t Code §§ 71180-71184 (repealed). Filling of vacancies**

**Comment.** Sections 71180-71184 are repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. For election and terms of superior court judges, see Cal. Const. art. VI, § 16. For notification of judges’ retirement systems on death, removal, or resignation of a superior

court judge, See Section 68504; see also Sections 75025 (notice of retirement), 75033.5 (notice and election of retirement).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(*l*) (“trial court employee” defined), 71615(c)(5) (trial court as employer of all trial court employees), 71620(a) (job classifications and appointments), 71623 (salaries), 71640-71645 (employment selection and advancement), 71673 (authority of court). *Cf.* Section 69916 (Merced County marshal). For provisions relating to the appointment of county employees, see Cal. Const. art. XI, §§ 1(b) and 4 (county governing board shall provide for the number, compensation, tenure, and appointment of employees), and Section 25300 (board of supervisors shall provide for the appointment of county employees). See also Sections 77212(d) (contract for county services), 77212.5 (agreement with sheriff’s department regarding court security services).

**Gov’t Code §§ 71180-71181 (added). Filling of vacancies**

Article 5. Filling of Vacancies

**§ 71180. Vacancy in office of municipal court judge**

**Comment.** Section 71180 continues former Section 71180 without substantive change. For election of a municipal court judge who became a superior court judge through trial court unification, see Section 70211.

For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 71181. Sunset date**

**Comment.** Section 71181 is added to ensure that Section 71180 is repealed once it becomes obsolete.

**Gov’t Code §§ 71220-71221 (repealed). Salaries**

**Comment.** Sections 71220-71221 are repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(*l*) (“trial court employee” defined), 71615(c)(5) (trial court as employer of all trial court employees), 71623 (salaries), 71673 (authority of court). For provisions relating to the compensation of superior court judges, see Cal. Const. art. III, § 4, art. VI, § 19, and Sections 68202, 68203, 77003. For provisions relating to the payment of county employee salaries from the county treasury, see Sections 28000, 28002, 28004.

(3) Enactment of the Trial Court Funding Act. See, e.g., Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations), 77212 (continuation of services by counties); Cal. R. Ct. 810 (court operations). Counties may charge superior courts for the costs of providing services as described in Sections 77003 and 77212, not to exceed the equivalent charges to county departments or special districts for similar services. See Section 77009(g).

**Gov’t Code §§ 71260-71280.5 (repealed). Clerk and marshal**

**Comment.** Sections 71260-71280.5 are repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. *Cf.* former Section 71264 (municipal court served by marshal). See also Sections 26603 (superior court attendance), 26608 (service of process and notices), 26665 (service of writs and process in civil actions), 69840 (powers, duties and responsibilities of clerk of court and deputy clerk of court), 69844 (minutes and other records of superior court), 69844.5 (certification and submission of superior court records relating to criminal convictions), 69844.7

(minute orders of superior court kept in chronological order), 69846.5 (endorsement of filing date on paper filed with superior court), 71265 (marshals' powers, duties, and liabilities).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(l) ("trial court employee" defined), 71615(c)(5) (trial court as employer of all trial court employees), 71620(a) (job classifications and appointments), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system). For marshals who are county employees, former Section Sections 71268 and 71269 are superseded by county ordinances or memoranda of understanding.

(3) Elimination of the marshal's office as a result of consolidation with the sheriff's office in Los Angeles County, effective January 1, 1994.

(4) Elimination of the marshal's office as a result of consolidation with the sheriff's office in San Diego County, effective January 1, 2000.

(5) The fact that former Sections 71268 and 71269 are obsolete relics derived from former Government Code provisions relating to the succession of inferior courts by municipal and justice courts. See 1951 Cal. Stat. ch. 1296, § 5.

## **Gov't Code §§ 71265-71267 (added). Marshal**

### **Article 7. Marshal**

#### **§ 71265. Marshals' powers, duties, and liabilities**

**Comment.** Section 71265 continues former Section 71265 with revisions to:

(1) Reflect the fact that the court services referred to in Section 26603 (superior court attendance) are provided by the marshal and not by the sheriff in some counties. See, e.g., former Section 26603.1 (Merced County) and Section 72116 (Shasta County).

(2) Delete the reference to former Section 26606. See Code Civ. Proc. §§ 488.730 (release of attachment), 699.060 (release from execution).

For provisions relating to restatements and continuations of existing law, see Section 2.

#### **§ 71266. Fees to be collected by marshals**

**Comment.** Section 71266 continues former Section 71266 without change.

For provisions relating to restatements and continuations of existing law, see Section 2.

#### **§ 71267. Revolving fund for marshal**

**Comment.** Section 71267 continues former Section 71267 with revisions to:

(1) Reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

(2) Reflect enactment of the Trial Court Funding Act. See Section 77200 (state funding of trial court operations). See also Section 29320 ("officer of the county" defined).

For provisions relating to restatements and continuations of existing law, see Section 2.

## **Gov't Code § 71305 (amended). Conditions of grant of benefits**

**Comment.** Section 71305 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

The section is also amended to reflect elimination of the justice court pursuant to Article VI, Sections 1 and 5(b), of the California Constitution.

## **Gov't Code § 71380 (amended). Uniform accounting system**

**Comment.** Section 71380 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 71382 (amended). Willful failure to keep accounts**

**Comment.** Section 71382 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 71384 (amended). Deposit of money collected and audit of accounts**

**Comment.** Section 71384 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 71601 (amended). Definitions**

**Comment.** Subdivision (i) of Section 71601 is amended to refer to types of subordinate judicial officers. See former Sections 72408 (traffic hearing officer in Santa Barbara County), 72450 (traffic trial commissioners); Fam. Code §§ 4250-4253 (child support commissioners); Welf. & Inst. Code § 255 (juvenile hearing officers). Subdivision (i) is also amended for consistency of terminology. See Cal. Const. art. VI, § 21 (temporary judge).

Subdivision (k) is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 71620 (amended). Trial court personnel**

**Comment.** Subdivision (a) of Section 71620 is amended to make clear that the court (or the court's appointee) has the authority to appoint deputy court officers. It should be noted that Article 7 (commencing with Section 1190) of Chapter 1 of Division 4 of Title 1 applies to all deputy court officers.

The last two sentences of subdivision (b) are superseded by Section 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court).

**Gov't Code § 71674 (amended). Law Revision Commission study**

**Comment.** Section 71674 is amended to delete the report deadline. This is intended to foster cleanup of obsolete statutes on a continuing basis as unresolved issues are settled after January 1, 2002.

**Gov't Code §§ 72000-72006 (repealed). General provisions**

**Comment.** Sections 72000-72006 are repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 69507 (marriage in superior court without fee); Cal. Const. art. VI, § 4 (Legislature to prescribe number of superior court judges).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(l) ("trial court employee" defined), 71615(c)(5) (trial court as employer of all trial court employees), 71650-71658 (employment protection system), 71673 (authority of trial courts to establish terms and conditions of employment). For marshals who are county employees, former Section 72002 is superseded by county ordinances or memoranda of understanding.

(3) Enactment of Section 69505 (business-related travel expenses of trial court judges and employees).

**Gov't Code § 72004 (added). General provisions**

**Article 1. General Provisions**

**§ 72004. Fees collected**

**Comment.** Section 72004 continues former Section 72004 with revisions to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code § 72053.5 (repealed). Expenses of attending convention, school, conference, or meeting**

**Comment.** Section 72053.5 is repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. For training of superior court personnel, see Section 68551 (judge attending institute or seminar).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(*l*) (“trial court employee” defined), 71615(c)(5) (trial court as employer of all trial court employees), 71673 (authority of trial courts to establish terms and conditions of employment).

(3) Enactment of Section 69505 (business-related travel expenses of trial court judges and employees).

(4) Enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77200 (state funding of trial court operations); Cal. R. Ct. 810(d), Function 10 (training fees for court personnel).

**Gov't Code § 72110 (amended). Consolidation of court-related services**

**Comment.** Section 72110 is amended to delete references to former Section 26668.

The section is also amended to provide for its automatic repeal in fifteen years.

**Gov't Code § 72111 (repealed). Expenses**

**Comment.** Section 72111 is repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(*l*) (“trial court employee” defined), 71615(c)(5) (trial court as employer of all trial court employees), 71673 (authority of trial courts to establish terms and conditions of employment). For county employees, this section is superseded by county ordinances or memoranda of understanding.

(3) Enactment of Section 69505 (business-related travel expenses of trial court judges and employees).

(4) Enactment of the Trial Court Funding Act. See Section 77001 (local trial court management).

**Gov't Code § 72113 (repealed). Parity with county employees**

**Comment.** Section 72113 is repealed as obsolete because there are no longer any statutes requiring parity of salaries and employee benefits among marshals, attachés and county employees.

**Gov't Code § 72114.1 (repealed). Effect of consolidation on marshal's office personnel**

**Comment.** Section 72114.1 is repealed as obsolete. Section 72114 has been repealed and is superseded by Section 72114.2.

**Gov't Code § 72114.2 (amended). Consolidation of court-related services**

**Comment.** Subdivision (k) of Section 72114.2 is added to provide for the automatic repeal of this section on January 1, 2005.

**Gov't Code § 72115 (amended). Consolidation of court-related services**

**Comment.** Former subdivisions (a)-(c) are deleted and new subdivision (a) is added to Section 72115 to reflect consolidation of court-related services in San Bernardino County within the sheriff's office, effective October 9, 1999.

Subdivision (b) is amended to reflect unification of the municipal and superior courts in San Bernardino County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 10, 1998.

Subdivision (h) is added to provide for the automatic repeal of this section in fifteen years.

**Gov't Code § 72116 (amended). Consolidation of court-related services**

**Comment.** Section 72116 is amended to reflect consolidation of court-related services in Shasta County within the marshal's office, effective July 1, 1993.

The section is also amended to delete references to former Section 26670.

**Gov't Code § 72150 (repealed). Additional deputies**

**Comment.** Section 72150 is repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(*l*) ("trial court employee" defined), 71615(c)(5) (trial court as employer of all trial court employees), 71620(a) (job classifications and appointments).

**Gov't Code § 72151 (repealed). Selection and compensation of additional deputies**

**Comment.** Section 72151 is repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(*l*) ("trial court employee" defined), 71615(c)(5) (trial court as employer of all trial court employees), 71620(a) (job classifications and appointments), 71623 (salaries), 71640-71645 (employment selection and advancement).

**Gov't Code § 72190 (amended). Court commissioners**

**Comment.** Section 72190 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 70214 (commissioners and referees).

The section is also amended to reflect enactment of the Trial Court Employment Protection and Governance Act. See Section 71622 (subordinate judicial officers). See also Section 69917 (practice of law by subordinate judicial officers).

The section is also amended to reflect enactment of the Trial Court Funding Act. See Section 77200 (state funding of trial court operations). *Cf.* Section 77003(a)(1) (Judicial Council approval required for commissioner positions created after July 1, 1997).

The section is also amended to delete language referring to the sole judge. Every superior court has at least two judgeships as a result of trial court unification. See Section 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or otherwise, the reference to the "presiding judge" means the sole judge of the court. See Section 69508.5 (presiding judge).

**Gov't Code § 72190.1 (amended). Arraignments**

**Comment.** Section 72190.1 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Sections 70211 (effect of unification on judgeships), 70214 (commissioners and referees).

The section is also amended to delete language referring to the sole judge. Every superior court has at least two judgeships as a result of trial court unification. See Section 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or otherwise, the reference to the “presiding judge” means the sole judge of the court. See Section 69508.5 (presiding judge).

**Gov't Code § 72190.2 (amended). Bench warrants**

**Comment.** Section 72190.2 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Sections 70211 (effect of unification on judgeships), 70214 (commissioners and referees).

The section is also amended to delete language referring to the sole judge. Every superior court has at least two judgeships as a result of trial court unification. See Section 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or otherwise, the reference to the “presiding judge” means the sole judge of the court. See Section 69508.5 (presiding judge).

**Gov't Code § 72190.5 (repealed). Authorization of unauthorized positions**

**Comment.** Section 72190.5 is repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Section 71622 (subordinate judicial officers).

**Gov't Code § 72191 (repealed). Powers of municipal court jury commissioner**

**Comment.** Section 72191 is repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 70214 (commissioners and referees); Code Civ. Proc. § 195 (jury commissioner).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71620(a) (job classifications and appointments), 71622 (subordinate judicial officers), 71624 (retirement plans), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system).

**Gov't Code § 72192 (repealed). Appointment of commissioner or jury commissioner**

**Comment.** Section 72192 is repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 70214 (commissioners and referees); Code Civ. Proc. § 195 (jury commissioner).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71620(a) (job classifications and appointments), 71622 (subordinate judicial officers), 71624 (retirement plans), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system).

**Gov't Code § 72194 (repealed). Municipal court reporters**

**Comment.** Section 72194 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 69941 (appointment of official reporters).

**Gov't Code § 72194.5 (repealed). Use of electronic equipment**

**Comment.** Section 72194.5 is continued as Section 69957.

**Gov't Code § 72195 (repealed). Municipal court reporters**

**Comment.** Section 72195 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 69941 *et seq.* (official reporters generally).

**Gov't Code § 72196 (repealed). Assignment to municipal court**

**Comment.** Section 72196 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 72198 (repealed). Compensation on assignment to municipal court**

**Comment.** Section 72198 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 72199 (repealed). Daily transcript requiring more than one reporter**

**Comment.** Section 72199 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 69953.5 (daily transcript requiring more than one reporter).

**Gov't Code §§ 72230-72232 (repealed). Witness and juror fees**

**Comment.** Sections 72230-72232 are repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. For witness and juror fees in superior court, see Sections 29603 (payments to jurors and witnesses), 68093 (witness fees), 68098 (witness fees in criminal cases).

**Gov't Code §§ 72270-72274 (repealed). Departments**

**Comment.** Sections 72270-72274 are repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. For provisions governing the selection and duties of the presiding judge in superior court, see Sections 69508, 69508.5.

**Gov't Code § 72301 (amended). Bail**

**Comment.** Section 72301 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Code Civ. Proc. § 38 (judicial district).

**Gov't Code § 72400 (repealed). Traffic referees**

**Comment.** Section 72400 is repealed to reflect:

- (1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.
- (2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71622 (subordinate judicial officers).

**Gov't Code § 72403 (amended). Powers and duties**

**Comment.** Section 72403 is amended to reflect enactment of the Trial Court Employment Protection and Governance Act. See Section 71612 (existing terms of employment not affected), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71629 (trial

court employment benefits not affected). See also Section 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court).

**Gov't Code § 72404 (repealed). Salary**

**Comment.** Section 72404 is repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71622 (subordinate judicial officers), 71623 (salaries).

**Gov't Code § 72405 (repealed). Cross assignment of commissioner**

**Comment.** Section 72405 is repealed to reflect enactment of the Trial Court Employment Protection and Governance Act. See Section 71622 (subordinate judicial officers).

**Gov't Code § 72406 (repealed). Grandfather clause**

**Comment.** Section 72406 is repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71622 (subordinate judicial officers), 71623 (salaries).

**Gov't Code § 72407 (amended). Retired traffic referee**

**Comment.** Section 72407 is amended to reflect enactment of the Trial Court Employment Protection and Governance Act. See Section 71622 (subordinate judicial officers).

The section is also amended to reflect enactment of the Trial Court Funding Act. See Section 77200 (state funding of trial court operations).

**Gov't Code § 72408 (repealed). Santa Barbara County**

**Comment.** Section 72408 is repealed to reflect:

(1) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71622 (subordinate judicial officers).

(2) Enactment of the Trial Court Funding Act. See Section 77200 (state funding of trial court operations).

(3) Unification of the municipal and superior courts in Santa Barbara County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 3, 1998.

**Gov't Code § 72450 (repealed). Traffic trial commissioners**

**Comment.** Section 72450 is repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. See Section 70212 (transitional provisions).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71622 (subordinate judicial officers), 71623 (salaries). See also Section 69917 (practice of law by subordinate judicial officers).

(3) Enactment of the Trial Court Funding Act. See Section 77200 (state funding of trial court operations).

**Gov't Code §§ 72600-72784 (repealed). Los Angeles County municipal court districts**

**Comment.** Sections 72600-72784 are repealed to reflect:

(1) Unification of the municipal and superior courts in Los Angeles County pursuant to Article VI, Section 5(e), of the California Constitution, effective January 22, 2000. See Sections 70211

(former municipal court judgeships continued as superior court judgeships), 70212 (transitional provisions). See also Sections 68070 (local rules of court), 69508 (presiding judge), 69586 (number of judges in Los Angeles County); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection); Cal. R. Ct. 6.603 (authority and duties of presiding judge). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Elimination of the marshal's office as a result of consolidation with the sheriff's office in Los Angeles County, effective January 1, 1994. See Sections 26639-26639.3 (sheriff-marshall consolidation). See also Sections 26726 (fees for sheriff keeping property under attachment, execution, possession, or sale), 77212.5(a) (agreement with sheriff's department regarding court security services).

(3) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71612 (existing terms of employment not affected), 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71630-71639.3 (labor relations), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 68086 (fees for reporting services), 69917 (practice of law by subordinate judicial officers), 69941 (appointment of official reporters).

(4) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Section 69952 (payment from Trial Court Operations Fund).

## **Gov't Code §§ 72708-72713 (added). Los Angeles County**

### **Chapter 9. Los Angeles County**

#### **§ 72708. Application of chapter**

**Comment.** Section 72708 is added to make clear that Chapter 9 applies only to superior court proceedings that would have been within the jurisdiction of the former Municipal Court of the Los Angeles Judicial District prior to unification.

#### **§ 72709. Payment of official reporters' salaries and benefits**

**Comment.** Section 72709 continues the provisions of former Section 72709 that apply to the reporters' salary fund.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 72709 that are not continued, see the Comment to former Chapter 9 (commencing with former Section 72600).

#### **§ 72710. Payment of fees and benefits of official reporters pro tempore**

**Comment.** Section 72710 continues the provisions of former Section 72710 that apply to the reporters' salary fund.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 72710 that are not continued, see the Comment to former Chapter 9 (commencing with former Section 72600).

#### **§ 72711. Reporting and transcription fees**

**Comment.** Subdivision (a) of Section 72711 continues the first paragraph of former Section 72711, with revisions to reflect the repeal of Article 3 (commencing with former Section 72700). See Section 68086 (fees for reporting services).

Subdivision (b) continues the second paragraph of former Section 72711, replacing “county treasury” with “Trial Court Operations Fund” to reflect enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Section 69952 (payment from Trial Court Operations Fund).

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 72711 that are not continued, see the Comment to former Chapter 9 (commencing with former Section 72600).

#### **§ 72711.5. Electronic or stenographic recording**

**Comment.** Section 72711.5 continues former Section 72711.5, replacing the reference to former Section 72194.5 with a reference to Section 69957, replacing “per diem” with “reporting” for consistency of terminology, and replacing “county treasury” with “Trial Court Operations Fund” to reflect enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Section 69952 (payment from Trial Court Operations Fund).

For provisions relating to restatements and continuations of existing law, see Section 2.

#### **§ 72712. Reporters’ salary fund**

**Comment.** The first paragraph of Section 72712 continues the first paragraph of former Section 72712 without change.

The second paragraph continues the second paragraph of former Section 72712 with revisions to reflect the repeal of Section 72194.5 and unification of the municipal and superior courts in Los Angeles County pursuant to Article VI, Section 5(e), of the California Constitution, effective January 22, 2000. See Code Civ. Proc. § 38 (judicial district).

The third paragraph continues the third paragraph of former Section 72712, replacing “salary fund of the county” with “general fund of the county” to reflect enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77200 (state funding of trial court operations).

The fourth paragraph continues the fourth paragraph of former Section 72712 without change.

For provisions relating to restatements and continuations of existing law, see Section 2.

#### **§ 72713. Reporters’ salary fund deficiency**

**Comment.** Subdivision (a) of Section 72713 continues the first paragraph of former Section 72713, replacing “general fund of the county” with “Trial Court Operations Fund” to reflect enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

Subdivision (b) continues the second paragraph of former Section 72713 without change, except to insert “reporters’ salary” before “fund” for purposes of clarification.

For provisions relating to restatements and continuations of existing law, see Section 2.

#### **Gov’t Code §§ 73075-73096.1 (repealed). Alameda County municipal court districts**

**Comment.** Sections 73075-73096.1 are repealed to reflect:

(1) Unification of the municipal and superior courts in Alameda County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 31, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69580 (number of judges in Alameda County); Cal. Const. art. VI, § 16 (election of judges); Code Civ. Proc. § 38 (judicial district); Elec. Code § 8203 (incumbent as only nominee). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71622

(subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

**Gov't Code §§ 73100-73122 (repealed). San Bernardino County Municipal Court District**

**Comment.** Sections 73100-73122 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Bernardino County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 10, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Sections 69508 (presiding judge), 69594 (number of judges in San Bernardino County); Cal. Const. art. VI, § 16 (election of judges); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Elimination of the marshal's office as a result of consolidation with the sheriff's office in San Bernardino County, effective October 9, 1999. *Cf.* Section 26603 (sheriff shall attend superior court). For provisions governing keepers fees, see Sections 26726 (fees for sheriff keeping property under attachment, execution, possession, or sale), 71266 (sheriff fee statutes applicable to marshals), 72112 (deputy marshals serving as custodians).

(3) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 68086 (fees for reporting services), 69941 (appointment of official reporters), 69953.5 (daily transcript requiring more than one reporter), 72190 (court commissioners).

(4) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Section 69952 (payment from Trial Court Operations Fund).

**Gov't Code § 73300 (repealed). Salary payments**

**Comment.** Section 73300 is repealed to reflect:

(1) Unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. For provisions relating to the compensation of superior court judges, see Cal. Const. art. III, § 4, art. IV, § 19, and Sections 68202, 68203.

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Section 71623 (salaries).

**Gov't Code § 73301 (amended). Prior service in court superseded by municipal court**

**Comment.** Section 73301 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov't Code § 73330 (repealed). Calaveras County consolidated courts**

**Comment.** Section 73330 is repealed to reflect:

(1) Unification of the municipal and superior courts in Calaveras County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998. See Sections 70210 (adoption of rules), 70212 (officers and employees), 70215 (construction with other laws).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620(a) (job classifications and appointments), 71623 (salaries), 71640-71645 (employment selection and advancement), 71650-

71658 (employment protection system), 71673 (authority of court). See also Code Civ. Proc. § 195 (jury commissioner).

**Gov’t Code §§ 73340-73366 (repealed). Contra Costa County municipal court districts**

**Comment.** Sections 73340-73366 are repealed to reflect:

(1) Unification of the municipal and superior courts in Contra Costa County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 8, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69582 (number of judges in Contra Costa County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 69917 (practice of law by subordinate judicial officers), 69941 (appointment of official reporters), 72190 (court commissioners).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

**Gov’t Code §§ 73390-73399.7 (repealed). Kings County Municipal Court**

**Comment.** Sections 73390-73399.7 are repealed to reflect:

(1) Unification of the municipal and superior courts in Kings County pursuant to Article VI, Section 5(e), of the California Constitution, effective February 8, 2001. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69585.5 (number of judges in Kings County); Cal. Const. art. VI, §§ 15 (qualifications of judges), 16 (election of judges); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters); Code Civ. Proc. § 195 (jury commissioner).

(3) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 68073 (responsibility for court operations and facilities), 69952 (payment from Trial Court Operations Fund), 69953 (payment of fees).

**Gov’t Code §§ 73390-73396 (added). Kings County**

Article 3. Kings County

**§ 73390. Kings County Municipal Court**

**Comment.** Section 73390 continues former Section 73390 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73396. Municipal court facilities**

**Comment.** Section 73396 continues former Section 73396 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73400-73408 (repealed). Hanford Judicial District**

**Comment.** Sections 73400-73408 are repealed to reflect:

(1) The fact that Article 3.1 was superseded by Article 3 (commencing with Section 73390) establishing the Kings County Municipal Court, effective June 29, 1992.

(2) Unification of the municipal and superior courts in Kings County pursuant to Article VI, Section 5(e), of the California Constitution, effective February 8, 2001. See Section 69585.5 (number of judges in Kings County).

**Gov't Code §§ 73430-73443 (repealed). Kern County municipal court districts**

**Comment.** Sections 73430-73443 are repealed to reflect:

(1) Unification of the municipal and superior courts in Kern County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 2000. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69585 (number of judges in Kern County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 69952 (payment from Trial Court Operations Fund), 69953 (payment of fees).

**Gov't Code §§ 73480-73490 (repealed). Lodi Municipal Court District**

**Comment.** Sections 73480-73490 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Joaquin County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 8, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69598 (number of judges in San Joaquin County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court).

**Gov't Code §§ 73520-73530 (repealed). San Mateo County Judicial District**

**Comment.** Sections 73520-73530 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Mateo County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 12, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69599 (number of judges in San Mateo County); Code Civ. Proc. § 38 (judicial district). *Cf.*

Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(l) (“trial court employee” defined), 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71630-71639.3 (labor relations), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 68086 (fees for reporting services), 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77200 (state funding of trial court operations). See also Section 68073 (responsibility for court operations and facilities).

### **Gov’t Code §§ 73560-73572 (repealed). Monterey County Municipal Court District**

**Comment.** Sections 73560-73572 are repealed to reflect:

(1) Unification of the municipal and superior courts in Monterey County pursuant to Article VI, Section 5(e), of the California Constitution, effective December 18, 2000. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Sections 68073 (responsibility for court operations and facilities), 69590 (number of judges in Monterey County); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Section 69917 (practice of law by subordinate judicial officers).

### **Gov’t Code §§ 73560-73561 (added). Monterey County**

## **Article 7. Monterey County**

### **§ 73560. Monterey County Municipal Court District**

**Comment.** Section 73560 continues former Section 73560 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

### **§ 73561. Municipal court facilities**

**Comment.** Section 73561 continues former Section 73561 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

### **Gov’t Code §§ 73580-73587 (repealed). Lake County Municipal Court**

**Comment.** Sections 73580-73587 are repealed to reflect:

(1) Unification of the municipal and superior courts in Lake County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 30, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69585.7 (number of judges in Lake County); Cal. Const. art. VI, § 16 (election of judges); Code Civ. Proc.

§ 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

**Gov't Code §§ 73600-73608 (repealed). El Dorado County Municipal Court**

**Comment.** Sections 73600-73608 are repealed to reflect:

(1) Unification of the municipal and superior courts in El Dorado County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 1, 1998. *Cf.* former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71630-71639.3 (labor relations), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

**Gov't Code §§ 73640-73650 (repealed). El Cajon Municipal Court District**

**Comment.** Sections 73640-73650 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Diego County pursuant to Article VI, Section 5(e), of the California Constitution, effective December 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69595 (number of judges in San Diego County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations), 77211 ("900" telephone numbers). See also Sections 69952 (payment from Trial Court Operations Fund), 69953 (payment of fees).

**Gov't Code §§ 73640-73648 (added). El Cajon Judicial District**

**Article 9. El Cajon Judicial District**

**§ 73640. El Cajon Judicial District**

**Comment.** Section 73640 continues former Section 73640 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73642. Benefits for judges of the El Cajon Judicial District**

**Comment.** Section 73642 continues former Section 73642 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73648. Sessions within the El Cajon Judicial District**

**Comment.** Section 73648 continues former Section 73648 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73660-73668 (repealed). Humboldt County Municipal Court District**

**Comment.** Sections 73660-73668 are repealed to reflect:

(1) Unification of the municipal and superior courts in Humboldt County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 10, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Sections 68073 (responsibility for court operations and facilities), 69508 (presiding judge), 69584 (number of judges in Humboldt County); Cal. Const. art. VI, §§ 15 (qualifications of judges), 16 (election of judges); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication). For provisions relating to the sheriff, see Sections 26603 (superior court attendance), 26608, 26609, 26660-26665 (process and notices), 26611 (court crier), 26720-26751 (fees). See also Code Civ. Proc. § 262.4 (conveyances on sale of real estate).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters), 69953.5 (daily transcript requiring more than one reporter).

(3) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77200 (state funding of trial court operations).

**Gov't Code §§ 73660-73666 (added). Humboldt County**

**Article 9.5. Humboldt County**

**§ 73660. Humboldt County Municipal Court District**

**Comment.** Section 73660 continues former Section 73660 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73661. Municipal court facilities**

**Comment.** Section 73661 continues former Section 73661 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73665. Consolidation of marshal and sheriff offices**

**Comment.** Subdivision (a) of Section 73665 continues the first paragraph and the first two sentences of the second paragraph of subdivision (a) of former Section 73665.

Subdivision (b) continues subdivision (b) of former Section 73665, omitting the reference to Section 68073.

Subdivision (c) is new.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 73665 that are not continued, see the Comment to former Article 9.5 (commencing with former Section 73660).

**§ 73666. Employees of marshal's office**

**Comment.** Subdivisions (a)-(c) of Section 73666 continue subdivisions (a)-(c) of former Section 73666 without change.

Subdivision (d) is new.

For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73671-73679.5 (repealed). Northern Solano Judicial District**

**Comment.** Sections 73671-73679.5 are repealed to reflect:

(1) Unification of the municipal and superior courts in Solano County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 3, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Sections 26603 (superior court attendance by sheriff), 69602 (number of judges in Solano County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 68086 (fees for reporting services in civil cases generally), 69941 (appointment of official reporters), 69953.5 (daily transcript requiring more than one reporter); Code Civ. Proc. § 195 (jury commissioner).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

**Gov't Code §§ 73680-73697 (repealed). Consolidated Fresno Municipal Court District**

**Comment.** Sections 73680-73697 are repealed to reflect:

(1) Unification of the municipal and superior courts in Fresno County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69583 (number of judges in Fresno County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). For provisions governing the deposit of fees collected by marshals and sheriffs, see Sections 24350 (fees collected by salaried county or court officer paid into county treasury), 24353 (money collected by county or court officer paid into county treasury), 71266 (marshals' fees paid into county treasury).

**Gov't Code §§ 73698-73699.6 (repealed). Central Valley Municipal Court District**

**Comment.** Sections 73698-73699.6 are repealed to reflect:

(1) Unification of the municipal and superior courts in Fresno County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also

Sections 69508 (presiding judge), 69583 (number of judges in Fresno County); Cal. Const. art. VI, § 16 (election of judges); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 68073 (responsibility for court operations and facilities), 69952 (payment from Trial Court Operations Fund), 69953 (payment of fees).

**Gov't Code §§ 73698-73698.6 (added). Fresno County**

Article 10.5. Fresno County

**§73698. Central Valley Municipal Court District**

**Comment.** Section 73698 continues former Section 73698 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73698.6. Municipal court facilities**

**Comment.** Section 73698.6 continues former Section 73698.6 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73701-73714 (repealed). Manteca-Ripon-Escalon-Tracy Municipal Court District**

**Comment.** Sections 73701-73714 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Joaquin County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 8, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69598 (number of judges in San Joaquin County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court).

**Gov't Code §§ 73730-73743 (repealed). Imperial County Municipal Court**

**Comment.** Sections 73730-73743 are repealed to reflect:

(1) Unification of the municipal and superior courts in Imperial County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 22, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69584.5 (number of judges in Imperial County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters); Code Civ. Proc. § 195 (jury commissioner).

(3) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 68073 (responsibility for court operations and facilities), 69952 (payment from Trial Court Operations Fund), 69953 (payment of fees).

**Gov't Code §§ 73730-73732 (added). Imperial County**

Article 11.5. Imperial County

**§ 73730. Imperial County Municipal Court**

**Comment.** Section 73730 continues former Section 73730 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73732. Municipal court facilities**

**Comment.** Section 73732 continues former Section 73732 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73750-73767 (repealed). Madera County Municipal Court District**

**Comment.** Sections 73750-73767 are repealed to reflect:

(1) Unification of the municipal and superior courts in Madera County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Sections 69508 (presiding judge), 69587 (number of judges in Madera County); Cal. Const. art. VI, §§ 15 (qualifications of judges), 16 (election of judges); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Elimination of the marshal's office as a result of consolidation with the sheriff's office in Madera County, effective January 1, 2000.

(3) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(4) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Section 68073 (responsibility for court operations and facilities).

**Gov't Code §§ 73750-73758 (added). Madera County**

**Article 11.6. Madera County**

**§ 73750. Madera County Municipal Court District**

**Comment.** Section 73750 continues former Section 73750 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73756. Municipal court facilities**

**Comment.** Section 73756 continues subdivision (a) of former Section 73756 without change.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 73756 that are not continued, see the Comment to former Article 11.6 (commencing with former Section 73750).

**§ 73757. Consolidation of court-related services**

**Comment.** Subdivisions (a)-(d) of Section 73757 continue subdivisions (a)-(d) of former Section 73757 without change.

Subdivision (e) is new.

For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73758. Transportation of prisoners**

**Comment.** Section 73758 continues former Section 73758 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73770-73783 (repealed). Marin County Municipal Court**

**Comment.** Sections 73770-73783 are repealed to reflect:

(1) Unification of the municipal and superior courts in Marin County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 11, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69588 (number of judges in Marin County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters), 72190 (court commissioners).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 68086 (fees for reporting services in civil cases generally), 69952 (payment from Trial Court Operations Fund), 69953 (payment of fees).

**Gov't Code §§ 73770-73771 (added). Marin County**

**Article 12. Marin County**

**§ 73770. Marin County Municipal Court**

**Comment.** Section 73770 continues former Section 73770 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73771. Branch court**

**Comment.** Section 73771 continues the second sentence of former Section 73771 without change.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 73771 that are not continued, see the Comment to former Article 12 (commencing with former Section 73770).

**Gov't Code §§ 73783.1-73783.9 (repealed). Mariposa County Municipal Court District**

**Comment.** Sections 73783.1-73783.9 are repealed to reflect:

(1) Unification of the municipal and superior courts in Mariposa County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Sections 68073 (responsibility for court operations and facilities), 69588.3 (number of judges in Mariposa County); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court).

**Gov't Code §§ 73783.1-73783.3 (added). Mariposa County**

**Article 12.2. Mariposa County**

**§ 73783.1. Mariposa County Municipal Court District**

**Comment.** Section 73783.1 continues former Section 73783.1 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73783.3. Municipal court facilities**

**Comment.** Section 73783.3 continues former Section 73783.3 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73784-73785 (repealed). Mendocino County Municipal Court District**

**Comment.** Sections 73784-73785 are repealed to reflect:

(1) Unification of the municipal and superior courts in Mendocino County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations).

See also Sections 26603 (superior court attendance by sheriff), 68073 (responsibility for court operations and facilities), 69588.7 (number of judges in Mendocino County); Cal. Const. art. VI, §§ 15 (qualifications of judges), 16 (election of judges); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

**Gov't Code §§ 73784-73784.10 (added). Mendocino County**

Article 12.3. Mendocino County

**§ 73784. Mendocino County Municipal Court District**

**Comment.** Section 73784 continues former Section 73784 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73784.10. Municipal court facilities**

**Comment.** Section 73784.10 continues former Section 73784.10 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 73790-73802 (repealed). Merced County Municipal Court**

**Comment.** Sections 73790-73802 are repealed to reflect:

(1) Unification of the municipal and superior courts in Merced County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 3, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Sections 69589 (number of judges in Merced County), 69916 (Marshal of Merced County Superior Court); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Sections 71042.5 (preservation of judicial districts for purpose of publication), 71265 (marshals' powers, duties, and liabilities).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(l) ("trial court employee" defined), 71615(c)(1) (preservation of employees' job classifications), 71615(c)(5) (trial court as employer of all trial court employees), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). For provisions governing the employment and compensation of county employees, see Cal. Const. art. XI, §§ 1(b) and 4 (county governing board shall provide for the number, compensation, tenure, and appointment of employees) and Section 25300 (board of supervisors shall provide for the number, compensation, tenure and appointment of county employees). See also Section 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Section 68073 (responsibility for court operations and facilities).

**Gov't Code §§ 73790-73792 (added). Merced County**

**Article 12.5. Merced County**

**§ 73790. Merced County Municipal Court**

**Comment.** Section 73790 continues former Section 73790 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73792. Municipal court facilities**

**Comment.** Section 73792 continues subdivision (a) of former Section 73792 without change.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 73792 that are not continued, see the Comment to former Article 12.5 (commencing with former Section 73790).

**Gov't Code §§ 73820-73828 (repealed). Nevada County Municipal Court**

**Comment.** Sections 73820-73828 are repealed to reflect:

(1) Unification of the municipal and superior courts in Nevada County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69590.7 (number of judges in Nevada County). *Cf.* former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71630-71639.3 (labor relations), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

**Gov't Code §§ 73870-73877 (repealed). North Sacramento Municipal Court District**

**Comment.** Sections 73870-73877 are repealed to reflect:

(1) Unification of the municipal and superior courts in Sacramento County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 17, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69593 (number of judges in Sacramento County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Elimination of the marshal's office as a result of consolidation with the sheriff's office in Sacramento County, effective January 1, 1986.

(3) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court).

**Gov't Code §§ 73950-73960 (repealed). North County Municipal Court District**

**Comment.** Sections 73950-73960 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Diego County pursuant to Article VI, Section 5(e), of the California Constitution, effective December 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations).

See also Section 69595 (number of judges in San Diego County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(l)-(m) (“trial court employee” defined), 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations), 77211 (“900” telephone numbers). See also Sections 68073 (responsibility for court operations and facilities), 69952 (payment from Trial Court Operations Fund), 69953 (payment of fees).

(4) Elimination of the marshal’s office as a result of consolidation with the sheriff’s office in San Diego County, effective January 1, 2000.

**Gov’t Code §§ 73950-73956 (added). North County Judicial District**

**Article 16. North County Judicial District**

**§ 73950. Municipal Court of the North County Judicial District**

**Comment.** Section 73950 continues former Section 73950 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73952. Benefits for judges of the North County Judicial District**

**Comment.** Section 73952 continues former Section 73952 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 73956. Sessions within the North County Judicial District**

**Comment.** Section 73956 continues former Section 73956 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov’t Code §§ 74010-74014 (repealed). Marshal of Orange County**

**Comment.** Sections 74010-74014 are repealed to reflect elimination of the marshal’s office as a result of consolidation with the sheriff’s office in Orange County, effective July 1, 2000. See former Section 69915 (Article 17.1 inoperative upon effective date of consolidation).

**Gov’t Code §§ 74020-74030 (repealed). Placer County Municipal Court**

**Comment.** Sections 74020-74030 are repealed to reflect:

(1) Unification of the municipal and superior courts in Placer County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 30, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Sections 68073 (responsibility for court operations and facilities), 69591.3 (number of judges in Placer County); Cal. Const. art. VI, § 16 (election of judges); Code Civ. Proc. § 198.5 (superior court venires). *Cf.* former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits

not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Section 77001 (local trial court management).

**Gov't Code §§ 74130-74145 (repealed). Riverside County municipal court districts**

**Comment.** Sections 74130-74145 are repealed to reflect:

(1) Unification of the municipal and superior courts in Riverside County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 29, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69592 (number of judges in Riverside County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Elimination of the marshal's office as a result of consolidation with the sheriff's office in Riverside County, effective April 19, 1990.

(3) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(4) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

**Gov't Code §§ 74130-74145 (added). Riverside County**

**Article 20. Riverside County**

**§ 74130. Municipal courts**

**Comment.** Section 74130 continues former Section 74130 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74145. Benefits for municipal court judges**

**Comment.** Section 74145 continues former Section 74145 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74190-74201 (repealed). Sacramento Municipal Court District**

**Comment.** Sections 74190-74201 are repealed to reflect:

(1) Unification of the municipal and superior courts in Sacramento County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 17, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69593 (number of judges in Sacramento County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Elimination of the marshal's office as a result of consolidation with the sheriff's office in Sacramento County, effective January 1, 1986. See Section 26638.2 (Sections 74194-74195 inoperative upon effective date of consolidation).

(3) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits

not affected), 71630-71639.3 (labor relations), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court).

**Gov't Code §§ 74205-74212 (repealed). South Sacramento County Municipal Court District**

**Comment.** Sections 74205-74212 are repealed to reflect:

(1) Unification of the municipal and superior courts in Sacramento County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 17, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69593 (number of judges in Sacramento County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71630-71639.3 (labor relations), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court).

**Gov't Code §§ 74340-74353 (repealed). San Diego Municipal Court District**

**Comment.** Sections 74340-74353 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Diego County pursuant to Article VI, Section 5(e), of the California Constitution, effective December 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69595 (number of judges in San Diego County); Code Civ. Proc. § 38 (judicial district); Veh. Code § 40508.6 (administrative assessments). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(l)-(m) ("trial court employee" defined), 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 69952 (payment from Trial Court Operations Fund), 69953 (payment of fees).

(4) Elimination of the marshal's office as a result of consolidation with the sheriff's office in San Diego County, effective January 1, 2000.

**Gov't Code §§ 74340-74342 (added). San Diego Judicial District**

Article 25. San Diego Judicial District

**§ 74340. San Diego Judicial District**

**Comment.** Section 74340 continues former Section 74340 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74342. Benefits for judges of the San Diego Judicial District**

**Comment.** Section 74342 continues former Section 74342 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74355-74359.2 (repealed). San Diego County Pretrial Services Unit personnel**

**Comment.** Sections 74355-74359.2 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Diego County pursuant to Article VI, Section 5(e), of the California Constitution, effective December 1, 1998. See Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court).

**Gov't Code §§ 74500-74521 (repealed). City and County of San Francisco Municipal Court**

**Comment.** Sections 74500-74521 are repealed to reflect:

(1) Unification of the municipal and superior courts in the City and County of San Francisco pursuant to Article VI, Section 5(e), of the California Constitution, effective December 31, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69596 (number of judges in City and County of San Francisco).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters); Code Civ. Proc. § 195 (jury commissioner).

(3) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 68086 (fees for reporting services in civil cases generally), 69952 (payment from Trial Court Operations Fund), 69953 (payment of fees).

**Gov't Code §§ 74600-74613 (repealed). San Luis Obispo County Municipal Court**

**Comment.** Sections 74600-74613 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Luis Obispo County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Sections 69508 (presiding judge), 69598.5 (number of judges in San Luis Obispo County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of Section 69505 (business-related travel expenses of trial court judges and employees).

(4) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 68073 (responsibility for court

operations and facilities), 69952 (payment from Trial Court Operations Fund), 69953 (payment of fees).

**Gov't Code § 74602 (added). San Luis Obispo County**

Article 27. San Luis Obispo County

**§ 74602. Superior court sessions and facilities in San Luis Obispo County**

**Comment.** Section 74602 continues the substance of subdivision (a) of former Section 74602, replacing references to “any traffic referee or juvenile court hearing officer” with a reference to “any subordinate judicial officer.”

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 74602 that are not continued, see the Comment to former Article 27 (commencing with former Section 74600).

**Gov't Code §§ 74640-74649 (repealed). Santa Barbara County municipal court districts**

**Comment.** Sections 74640-74649 are repealed to reflect:

(1) Unification of the municipal and superior courts in Santa Barbara County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 3, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69599.5 (number of judges in Santa Barbara County); Cal. Const. art. VI, §§ 15 (qualifications of judges), 16 (election of judges); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Elimination of the marshal's office as a result of consolidation with the sheriff's office in Santa Barbara County, effective January 1, 1997.

(3) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69917 (practice of law by subordinate judicial officers), 69941 (appointment of official reporters), 72190 (court commissioners).

(4) Enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 68073 (responsibility for court operations and facilities), 69952 (payment from Trial Court Operations Fund).

**Gov't Code §§ 74640-74640.2 (added). Santa Barbara County**

Article 28. Santa Barbara County

**§ 74640. Municipal court districts**

**Comment.** Section 74640 continues former Section 74640 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74640.2. Court facilities for the North Santa Barbara County Municipal Court**

**Comment.** Section 74640.2 continues former Section 74640.2 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74660-74673 (repealed). Santa Clara County Municipal Court**

**Comment.** Sections 74660-74673 are repealed to reflect:

(1) Unification of the municipal and superior courts in Santa Clara County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 30, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69600 (number of judges in Santa Clara County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters), 72190 (court commissioners).

(3) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 68086 (fees for reporting services in civil cases generally), 69952 (payment from Trial Court Operations Fund), 69953 (payment of fees).

**Gov't Code §§ 74690-74699 (repealed). Santa Cruz County Municipal Court**

**Comment.** Sections 74690-74699 are repealed to reflect:

(1) Unification of the municipal and superior courts in Santa Cruz County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69600.5 (number of judges in Santa Cruz County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69917 (practice of law by subordinate judicial officers), 69941 (appointment of official reporters), 72190 (court commissioners).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

**Gov't Code §§ 74700-74711 (repealed). Sonoma County Municipal Court**

**Comment.** Sections 74700-74711 are repealed to reflect:

(1) Unification of the municipal and superior courts in Sonoma County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 12, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Sections 68202-68203 (salary of superior court judge), 69603 (number of judges in Sonoma County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment

protection system), 71673 (authority of court). See also Sections 69917 (practice of law by subordinate judicial officers), 69941 (appointment of official reporters), 72190 (court commissioners); Code Civ. Proc. § 259 (powers of court commissioners).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

#### **Gov’t Code §§ 74720-74731 (repealed). Siskiyou County Municipal Court District**

**Comment.** Sections 74720-74731 are repealed to reflect:

(1) Unification of the municipal and superior courts in Siskiyou County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 4, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69601.7 (number of judges in Siskiyou County); Cal. Const. art. VI, §§ 15 (qualifications of judges), 16 (election of judges); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) The fact that the office of deputy marshal no longer exists in Siskiyou County following expiration of the former constables’ terms of office.

(3) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

#### **Gov’t Code §§ 74720-74724 (added). Siskiyou County**

### **Article 29.6. Siskiyou County**

#### **§ 74720. Siskiyou County Municipal Court District**

**Comment.** Section 74720 continues former Section 74720 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

#### **§ 74724. Municipal court facilities**

**Comment.** Section 74724 continues former Section 74724 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

#### **Gov’t Code §§ 74740-74750 (repealed). South Bay Municipal Court District**

**Comment.** Sections 74740-74750 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Diego County pursuant to Article VI, Section 5(e), of the California Constitution, effective December 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69595 (number of judges in San Diego County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(l)-(m) (“trial court employee” defined), 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645

(employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations), 77211 (“900” telephone numbers). See also Sections 69952 (payment from Trial Court Operations Fund), 69953 (payment of fees).

**Gov’t Code §§ 74740-74748 (added). South Bay Judicial District**

**Article 30. South Bay Judicial District**

**§ 74740. South Bay Judicial District**

**Comment.** Section 74740 continues former Section 74740 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74742. Benefits for judges of the South Bay Judicial District**

**Comment.** Section 74742 continues former Section 74742 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74748. Sessions within the South Bay Judicial District**

**Comment.** Section 74748 continues former Section 74748 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov’t Code §§ 74760-74767 (repealed). Glenn County Municipal Court District**

**Comment.** Sections 74760-74767 are repealed to reflect:

(1) Unification of the municipal and superior courts in Glenn County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 31, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69583.5 (number of judges in Glenn County); Cal. Const. art. VI, § 16 (election of judges).

(2) Elimination of the marshal’s office and the transfer of its functions to the sheriff’s office, effective August 17, 1999. *Cf.* former Section 74766 (marshal of Glenn County).

(3) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees’ job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71630-71639.3 (labor relations), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters); Code Civ. Proc. § 195 (jury commissioner).

**Gov’t Code §§ 74760-74764 (added). Glenn County**

**Article 30.1. Glenn County**

**§ 74760. Glenn County Municipal Court District**

**Comment.** Section 74760 continues former Section 74760 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74764. Municipal court facilities**

**Comment.** Section 74764 continues former Section 74764 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74780-74792 (repealed). Stanislaus County Municipal Court**

**Comment.** Sections 74780-74792 are repealed to reflect:

(1) Unification of the municipal and superior courts in Stanislaus County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 31, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69604 (number of judges in Stanislaus County); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Elimination of the marshal's office as a result of consolidation with the sheriff's office in Stanislaus County, effective March 1, 1992. For provisions relating to the sheriff, see Sections 26603 (superior court attendance), 26608, 26609, 26660-26665 (process and notices), 26611 (court crier), 26720-26751 (fees). See also Code Civ. Proc. § 262.4 (conveyances on sale of real estate).

(3) The fact that provisions relating to the Court Services Bureau and Court Security Services Oversight Committee are obsolete. See Section 77212.5(a) (agreement with sheriff's department regarding court security services).

(4) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69917 (practice of law by subordinate judicial officers), 69941 (appointment of official reporters).

(5) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 69952 (payment from Trial Court Operations Fund), 69953 (payment of fees).

**Gov't Code §§ 74784-74785 (added). Stanislaus County**

Article 31. Stanislaus County

**§ 74784. Former marshal's office personnel in Stanislaus County**

**Comment.** Subdivision (a) of Section 74784 continues the eleventh paragraph of subdivision (b) of former Section 74784, making clear that the provision applies to sworn personnel of the former Stanislaus County marshal's office.

Subdivision (b) continues the twelfth paragraph of subdivision (b) of former Section 74784 without change.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 74784 that are not continued, see the Comment to former Article 31 (commencing with former Section 74780).

**§ 74785. Repeal of article**

**Comment.** Section 74785 is added to provide for the automatic repeal of Article 31 (commencing with Section 74784) in fifteen years.

**Gov't Code §§ 74800-74811 (repealed). Stockton Municipal Court District**

**Comment.** Sections 74800-74811 are repealed to reflect:

(1) Unification of the municipal and superior courts in San Joaquin County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 8, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69598 (number of judges in San Joaquin County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Elimination of the marshal's office as a result of consolidation with the sheriff's office in San Joaquin County, effective May 27, 1997.

**Gov't Code § 74820.1 (repealed). Consolidation of court-related services**

**Comment.** Section 74820.1, relating to court-related services in San Joaquin County, is superseded by new Section 74820.1.

**Gov't Code § 74820.1 (added). Consolidation of court-related services**

**Comment.** Section 74820.1 supersedes former Section 74820.1 (consolidation of court related services). It reflects consolidation of court-related services in San Joaquin County within the sheriff's office, effective May 27, 1997.

**Gov't Code § 74820.2 (amended). Court services division**

**Comment.** Section 74820.2 is amended to reflect unification of the municipal and superior courts in San Joaquin County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 8, 1998.

**Gov't Code § 74820.3 (amended). Court services division positions and employees**

**Comment.** Subdivision (b) of Section 74820.3 is amended to reflect unification of the municipal and superior courts in San Joaquin County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 8, 1998.

Obsolete provisions in former subdivisions (b) and (d) regarding the former incumbent marshal and assistant marshals have been deleted.

**Gov't Code § 74820.4 (repealed). Effect of consolidation on personnel**

**Comment.** Section 74820.4 is repealed to reflect consolidation of court-related services in San Joaquin County within the sheriff's office, effective May 27, 1997.

**Gov't Code § 74820.5 (repealed). Transfers**

**Comment.** Section 74820.5 is repealed as unnecessary.

**Gov't Code § 74820.6 (repealed). Marshal's office abolished**

**Comment.** Section 74820.6 is repealed to reflect consolidation of court-related services in San Joaquin County within the sheriff's office, effective May 27, 1997.

**Gov't Code § 74820.7 (repealed). Operation of Gov't Code §§ 74820.2-74820.6**

**Comment.** Section 74820.7 is repealed to reflect consolidation of court-related services in San Joaquin County within the sheriff's office, effective May 27, 1997.

**Gov't Code § 74820.8 (repealed). Marshal of the consolidated offices**

**Comment.** Section 74820.8 is repealed to reflect consolidation of court-related services in San Joaquin County within the sheriff's office, effective May 27, 1997.

**Gov't Code § 74820.9 (repealed). Salaries, benefits and ratings**

**Comment.** Section 74820.9 is repealed to reflect consolidation of court-related services in San Joaquin County within the sheriff's office, effective May 27, 1997.

**Gov't Code § 74820.10 (repealed). Status of sheriff employees**

**Comment.** Section 74820.10 is repealed to reflect consolidation of court-related services in San Joaquin County within the sheriff's office, effective May 27, 1997.

**Gov't Code § 74820.11 (repealed). Seniority**

**Comment.** Section 74820.11 is repealed to reflect consolidation of court-related services in San Joaquin County within the sheriff's office, effective May 27, 1997.

**Gov't Code § 74820.12 (repealed). Peace officer status**

**Comment.** Section 74820.12 is repealed to reflect consolidation of court-related services in San Joaquin County within the sheriff's office, effective May 27, 1997.

**Gov't Code § 74820.13 (repealed). Operation of Gov't Code §§ 74820.8-74820.12**

**Comment.** Section 74820.13 is repealed to reflect consolidation of court-related services in San Joaquin County within the sheriff's office, effective May 27, 1997.

**Gov't Code § 74820.14 (repealed). Service of process and notice functions**

**Comment.** Section 74820.14 is repealed to reflect consolidation of court-related services in San Joaquin County within the sheriff's office, effective May 27, 1997.

**Gov't Code §§ 74830-74839 (repealed). Sutter County Municipal Court**

**Comment.** Sections 74830-74839 are repealed to reflect:

(1) Unification of the municipal and superior courts in Sutter County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69604.3 (number of judges in Sutter County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

**Gov't Code §§ 74840-74851 (repealed). Vallejo-Benicia Judicial District**

**Comment.** Sections 74840-74851 are repealed to reflect:

(1) Unification of the municipal and superior courts in Solano County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 3, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69602 (number of judges in Solano County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Elimination of the marshal's office as a result of consolidation with the sheriff's office in Solano County, effective August 2, 1998. For provisions governing keepers fees, see Sections

26726 (fees for sheriff keeping property under attachment, execution, possession, or sale), 71266 (sheriff fee statutes applicable to marshals), 72112 (deputy marshals serving as custodians).

(3) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters); Code Civ. Proc. § 195 (jury commissioner).

(4) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77200 (state funding of trial court operations).

#### **Gov't Code §§ 74860-74868 (repealed). Tehama County Municipal Court**

**Comment.** Sections 74860-74868 are repealed to reflect:

(1) Unification of the municipal and superior courts in Tehama County pursuant to Article VI, Section 5(e), of the California Constitution, effective August 1, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69604.5 (number of judges in Tehama County). *Cf.* former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court).

#### **Gov't Code §§ 74900-74913 (repealed). Ventura County Municipal Court**

**Comment.** Sections 74900-74913 are repealed to reflect:

(1) Unification of the municipal and superior courts in Ventura County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 10, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69606 (number of judges in Ventura County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Section 69917 (practice of law by subordinate judicial officers).

(3) Enactment of Section 69505 (business-related travel expenses of trial court judges and employees).

(4) Enactment of the Trial Court Funding Act. See Sections 77001 (local trial court management), 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations).

#### **Gov't Code §§ 74915-74919 (repealed). Yuba County Municipal Court**

**Comment.** Sections 74915-74919 are repealed to reflect:

(1) Unification of the municipal and superior courts in Yuba County pursuant to Article VI, Section 5(e), of the California Constitution, effective April 16, 1999. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also

Sections 68073 (responsibility for court operations and facilities), 69611 (number of judges in Yuba County); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court).

## **Gov't Code §§ 74915-74916 (added). Yuba County**

### **Article 35.5. Yuba County**

#### **§ 74915. Yuba County Municipal Court**

**Comment.** Section 74915 continues former Section 74915 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

#### **§ 74916. Municipal court facilities**

**Comment.** Section 74916 continues former Section 74916 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

## **Gov't Code §§ 74920-74926.7 (repealed). Tulare County Municipal Court District**

**Comment.** Sections 74920-74926.7 are repealed to reflect:

(1) Unification of the municipal and superior courts in Tulare County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 27, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Sections 69508 (presiding judge), 69605 (number of judges in Tulare County); Cal. Const. art. VI, §§ 15 (qualifications of judges), 16 (election of judges); Code Civ. Proc. §§ 38 (judicial district), 190 *et seq.* (jury selection); Cal. R. Ct. 6.603 (authority and duties of presiding judge). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 74921.9 (marshals of Tulare County municipal courts).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 68086 (fees for reporting services), 69917 (practice of law by subordinate judicial officers), 69941 (appointment of official reporters), 72190 (court commissioners); Code Civ. Proc. § 195 (jury commissioner); Fam. Code §§ 4250-4253 (child support commissioners).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 ("court operations" defined), 77200 (state funding of trial court operations).

**Gov't Code §§ 74920-74920.6 (added). Tulare County**

**Article 36. Tulare County**

**§ 74920. Tulare County Municipal Court District**

**Comment.** Section 74920 continues former Section 74920 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74920.5. Sessions of the Tulare-Pixley Division**

**Comment.** Section 74920.5 continues former Section 74920.5 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74920.6. Sessions of the Central Division**

**Comment.** Section 74920.6 continues former Section 74920.6 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74934-74945 (repealed). Butte County municipal court districts**

**Comment.** Sections 74934-74945 are repealed to reflect:

(1) Unification of the municipal and superior courts in Butte County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Sections 68073 (responsibility for court operations and facilities), 69581 (number of judges in Butte County); Cal. Const. art. VI, § 15 (qualifications of judges); Code Civ. Proc. § 38 (judicial district). *Cf.* Sections 71042.5 (preservation of judicial districts for purpose of publication), 71266 (marshals' fees paid into county treasury); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71630-71639.3 (labor relations), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

**Gov't Code §§ 74934-74935.5 (added). Butte County**

**Article 37. Butte County**

**§ 74934. Municipal court districts**

**Comment.** Section 74934 continues former Section 74934 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74935.5. Branch court facilities**

**Comment.** Section 74935.5 continues former Section 74935.5 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov't Code §§ 74948-74958 (repealed). Napa County Municipal Court**

**Comment.** Sections 74948-74958 are repealed to reflect:

(1) Unification of the municipal and superior courts in Napa County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Sections 69508 (presiding judge), 69590.5 (number of judges in Napa County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters); Fam. Code §§ 4250-4253 (child support commissioners).

(3) Enactment of Section 69505 (business-related travel expenses of trial court judges and employees).

(4) Enactment of the Trial Court Funding Act. See Section 77003 ("court operations" defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Section 68073 (responsibility for court operations and facilities). For other provisions governing the deposit of fees collected by marshals and sheriffs, see Sections 24350 (fees collected by salaried county or court officer paid into county treasury), 24353 (money collected by county or court officer paid into county treasury), 71266 (marshals' fees paid into county treasury).

#### **Gov't Code §§ 74948-74950 (added). Napa County**

### **Article 38. Napa County**

#### **§ 74948. Municipal Court for the County of Napa**

**Comment.** Section 74948 continues former Section 74948 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

#### **§ 74950. Municipal court facilities**

**Comment.** Section 74950 continues former Section 74950 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

#### **Gov't Code §§ 74960-74973 (repealed). Yolo County Municipal Court**

**Comment.** Sections 74960-74973 are repealed to reflect:

(1) Unification of the municipal and superior courts in Yolo County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships); Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations). See also Section 69610 (number of judges in Yolo County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations). See also Sections 68073 (responsibility for court operations and facilities), 69952 (payment from Trial Court Operations Fund), 69953 (payment of fees).

**Gov’t Code §§ 74960-74962 (added). Yolo County**

**Article 39. Yolo County**

**§ 74960. Yolo County Municipal Court**

**Comment.** Section 74960 continues former Section 74960 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**§ 74962. Municipal court facilities**

**Comment.** Section 74962 continues former Section 74962 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

**Gov’t Code §§ 74980-74991 (repealed). Shasta County Municipal Court**

**Comment.** Sections 74980-74991 are repealed to reflect:

(1) Unification of the municipal and superior courts in Shasta County pursuant to Article VI, Section 5(e), of the California Constitution, effective June 3, 1998. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69601 (number of judges in Shasta County); Code Civ. Proc. § 38 (judicial district). *Cf.* Sections 71042.5 (preservation of judicial districts for purpose of publication), 71265 (marshals’ powers, duties, and liabilities).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71601(l) (“trial court employee” defined), 71615(c)(1) (preservation of employees’ job classifications), 71615(c)(5) (trial court as employer of all trial court employees), 71620 (trial court personnel), 71622 (subordinate judicial officers), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court). See also Sections 69917 (practice of law by subordinate judicial officers), 69941 (appointment of official reporters).

The marshal is an appointed employee of the Shasta County Superior Court. Obsolete provisions regarding the former elected marshal have been deleted.

For provisions governing the employment and compensation of county employees, see Cal. Const. art. XI, §§ 1(b) and 4 (county governing board shall provide for the number, compensation, tenure, and appointment of employees) and Section 25300 (board of supervisors shall provide for the number, compensation, tenure and appointment of county employees).

(3) Enactment of the Trial Court Funding Act. See Sections 77003 (“court operations” defined), 77009 (Trial Court Operations Fund), 77200 (state funding of trial court operations); Cal. R. Ct. 810 (court operations). *Cf.* Section 71266 (marshals’ fees paid into county treasury).

**Gov’t Code §§ 74984-74988 (added). Shasta County**

**Article 40. Shasta County**

**§ 74984. Marshal of the Shasta County Superior Court**

**Comment.** Subdivision (a) of Section 74984 continues the first part of the first sentence of subdivision (a) of former Section 74984, omitting the reference to the municipal court as obsolete.

Subdivision (b) continues subdivision (c) of former Section 74984 without change.

Subdivision (c) continues subdivision (d) of former Section 74984 without change.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 74984 that are not continued, see the Comment to former Article 40 (commencing with former Section 74980).

**§ 74985. Benefits for county employees in the Shasta County marshal's office**

**Comment.** Section 74985 continues subdivision (b) of former Section 74985, limiting the provision to county employees.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 74985 that are not continued, see the Comment to former Article 40 (commencing with former Section 74980).

**§ 74988. Status of marshal and employees of office of the marshal**

**Comment.** Section 74988 continues the first sentence of former Section 74988, changing the status of the marshal and certain employees of the office of the marshal from county to superior court employees.

For provisions relating to restatements and continuations of existing law, see Section 2. For disposition of the provisions of former Section 74988 that are not continued, see the Comment to former Article 40 (commencing with former Section 74980).

**Gov't Code §§ 74993-74997 (repealed). Tuolumne County Municipal Court District**

**Comment.** Sections 74993-74997 are repealed to reflect:

(1) Unification of the municipal and superior courts in Tuolumne County pursuant to Article VI, Section 5(e), of the California Constitution, effective April 23, 1999. See Section 70211 (former municipal court judgeships continued as superior court judgeships). See also Section 69605.5 (number of judges in Tuolumne County); Code Civ. Proc. § 38 (judicial district). *Cf.* Section 71042.5 (preservation of judicial districts for purpose of publication); former Section 71264 (municipal court served by marshal).

(2) Enactment of the Trial Court Employment Protection and Governance Act. See Sections 71615(c)(1) (preservation of employees' job classifications), 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71650-71658 (employment protection system), 71673 (authority of court).

**Gov't Code § 75076.2 (amended). Part-time service**

**Comment.** Section 75076.2 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. This change anticipates that municipal court judge salaries will not be maintained after abolition of the municipal courts through unification. A municipal court judge's salary is approximately 91.3225 percent of a superior court judge's salary. See former subdivision (b) of Section 68202 (1984 Cal. Stat. ch. 1758, § 3); see also Section 68203.

**Gov't Code § 75095.5 (repealed). Election under specified circumstances**

**Comment.** Section 75095.5 is repealed as obsolete.

**Gov't Code § 75103 (amended). Deduction for Judges' Retirement Fund**

**Comment.** Section 75103 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov’t Code § 75602 (amended). Deduction for Judges’ Retirement System II Fund**

**Comment.** Section 75602 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov’t Code § 76200 (amended). Alameda County courthouse construction fund**

**Comment.** Section 76200 is amended to reflect unification of the municipal and superior courts in Alameda County pursuant to Article VI, Section 5(e), of the California Constitution, effective July 31, 1998. See Cal. Const. art. VI, § 23(c)(2) and Section 70212(b) (preexisting court locations retained as superior court locations).

**Gov’t Code § 76238 (amended). City and County of San Francisco courthouse construction fund**

**Comment.** Subdivision (d) of Section 76238 is amended to reflect unification of the municipal and superior courts in the City and County of San Francisco pursuant to Article VI, Section 5(e), of the California Constitution, effective December 31, 1998.

**Gov’t Code § 76245 (amended). Shasta County courthouse and criminal justice facilities construction funds**

**Comment.** Section 76245 is amended to correct an erroneous section reference.

**Gov’t Code § 77003 (amended). “Court operations” defined**

**Comment.** Subdivision (a) of Section 77003 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. Subdivision (a) is also amended to reflect the repeal of Sections 69904, 70141, 70141.9, 70142.11, 72607, 73794, 74841.5, and 74908.

**Gov’t Code § 77007 (amended). “Trial court” defined**

**Comment.** Section 77007 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov’t Code § 77008 (amended). Filing fees defined**

**Comment.** Section 77008 is amended to reflect the fact that probation services, indigent criminal defense, and pretrial release services are excluded from the definition of “court operations” for all counties pursuant to Section 77003(a)(7). For purposes of the application of this section, it should be noted that the only section in this chapter in which the term “filing fees” is used is Section 77206.

**Gov’t Code § 82011 (amended). “Code reviewing body” defined**

**Comment.** Subdivision (g) of Section 82011 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov’t Code § 84215 (amended). Filing of campaign statements**

**Comment.** Subdivision (d) of Section 84215 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Gov’t Code § 91013.5 (amended). Civil action**

**Comment.** Section 91013.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. For small claims jurisdiction, see Code Civ. Proc. § 116.220. For limited civil cases, see Code Civ. Proc. § 85. For unlimited civil cases, see Code Civ. Proc. § 88.

## HARBORS AND NAVIGATION CODE

### **Harb. & Nav. Code § 515 (amended). Bond requirement**

**Comment.** Section 515 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

## HEALTH AND SAFETY CODE

### **Health & Safety Code § 1428 (amended). Contest of citation or civil penalty**

**Comment.** Subdivision (b) of Section 1428 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. For the jurisdictional classification of an action pursuant to this section, see Code Civ. Proc. § 86.1.

### **Health & Safety Code § 1543 (amended). Prosecution of misdemeanors by district attorney or city attorney**

**Comment.** Section 1543 is amended to reflect the repeal of Government Code Section 71099, concerning prosecution of misdemeanor cases where a court is superseded by a municipal court.

### **Health & Safety Code § 1568.0823 (amended). Violation of chapter**

**Comment.** Subdivision (c) of Section 1568.0823 is amended to reflect the repeal of Government Code Section 71099, concerning prosecution of misdemeanor cases where a court is superseded by a municipal court.

### **Health & Safety Code § 1569.43 (amended). Prosecution of actions for violations**

**Comment.** Section 1569.43 is amended to reflect the repeal of Government Code Section 71099, concerning prosecution of misdemeanor cases where a court is superseded by a municipal court.

### **Health & Safety Code § 102247 (amended). Health statistics special fund**

**Comment.** Subdivision (a)(1) of Section 102247 is amended to correct the reference to former Government Code Section 26800.

### **Health & Safety Code § 103625 (amended). Certified copies**

**Comment.** Section 103625 is amended to delete subdivision (b)(3) as obsolete. The period during which a board of supervisors was authorized to increase the fee for a certified copy of a birth certificate has elapsed.

## INSURANCE CODE

### **Ins. Code § 11706 (amended). Filing copy of award**

**Comment.** Section 11706 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and

the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

## LABOR CODE

### **Lab. Code § 98 (amended). Investigation of employee complaints**

**Comment.** Subdivision (h) of Section 98 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. On unification of the municipal and superior courts in a county, preexisting records of the municipal court automatically become records of the superior court. Cal. Const. art. VI, § 23(c)(3); Gov't Code § 70212(c).

### **Lab. Code § 98.1 (amended). Order, decision or award**

**Comment.** Subdivision (a) of Section 98.1 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

### **Lab. Code § 98.2 (amended). Review**

**Comment.** Subdivisions (a), (c), and (e) of Section 98.2 are amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. Where a dispute is tried de novo pursuant to this provision, a further appeal may be taken from the court's decision. *Post v. Palo/Haklar & Associates*, 23 Cal. 4th 942, 948, 4 P.3d 928, 98 Cal. Rptr. 2d 671 (2000). Before unification, the proper forum for resolution of this second appeal depended on which court conducted the trial de novo. *Id.* If the trial de novo was held in municipal court, appeal would be to the appellate division of the superior court. If the trial de novo was held in superior court, appeal would be to the court of appeal.

Due to unification, all trials de novo pursuant to this section are now in superior court. Under subdivision (a), the jurisdictional classification of a trial de novo (whether the proceeding is a limited civil case or an unlimited civil case) is determined pursuant to Code of Civil Procedure Section 85 (limited civil cases). See also Code Civ. Proc. § 86(a) (case at law in which demand is \$25,000 or less is limited civil case). If a further appeal is taken, the proper appeal path depends on the jurisdictional classification of the trial de novo. See Code Civ. Proc. §§ 32.5 (jurisdictional classification), 904.1 (taking appeal), 904.2 (taking appeal in limited civil case).

### **Lab. Code § 1181 (amended). Public notice**

**Comment.** Subdivision (b) of Section 1181 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

### **Lab. Code § 1701.10 (amended). Bond or deposit**

**Comment.** Subdivision (e)(8) of Section 1701.10 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

### **Lab. Code § 2691 (amended). Compliance or appeal**

**Comment.** Section 2691 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. For the jurisdictional classification of an action pursuant to this section, see Code Civ. Proc. §§ 85 (limited civil cases)

& Comment, 88 (unlimited civil cases); see also Code Civ. Proc. § 86 (miscellaneous limited civil cases).

**Lab. Code § 5600 (amended). Writ of attachment**

**Comment.** Section 5600 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**MILITARY AND VETERANS CODE**

**Mil. & Vet. Code § 395.3 (amended). Return of public employee who resigned to enter military service**

**Comment.** Subdivision (b) of Section 395.3 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. The reference to "judges of the municipal courts" is deleted as unnecessary, because municipal courts no longer exist and a former municipal court judge would be covered by the reference to "all other judicial officers."

**PENAL CODE**

**Penal Code § 28 (amended). Evidence of mental disease, mental defect or mental disorder**

**Comment.** Subdivision (c) of Section 28 is amended to reflect the repeal of Section 1429.5, concerning a plea of not guilty by reason of insanity in a municipal court.

**Penal Code § 808 (amended). Magistrates**

**Comment.** Section 808 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 810 (amended). Availability of magistrate**

**Comment.** Subdivision (a) of Section 810 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 830.1 (amended). Peace officers**

**Comment.** Subdivision (a) of Section 830.1 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. Subdivision (a) is also amended to reflect enactment of the Trial Court Employment Protection and Governance Act. See Gov't Code §§ 71601(*l*) ("trial court employee" defined), 71615(c)(5) (trial court as employer of all trial court employees), 71620 (trial court personnel).

The reference to a county of the first class in subdivision (c) is revised to refer to Los Angeles County by name.

**Penal Code § 851.8 (amended). Sealing and destruction of arrest records on determination of factual innocence**

**Comment.** Subdivision (b) of Section 851.8 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 859a (amended). Plea in non-capital felony case**

**Comment.** Subdivision (b) of Section 859a is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 869 (amended). Deposition or testimony before magistrate**

**Comment.** Subdivisions (e) and (f) of Section 869 are amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

Subdivision (e) is also amended to reflect enactment of the Trial Court Funding Act. See Gov't Code § 77001 (local trial court management). See also Gov't Code §§ 68073 (responsibility for court operations and facilities).

**Penal Code § 870 (amended). Transcript of deposition**

**Comment.** Section 870 is amended to reflect enactment of the Trial Court Funding Act. See Gov't Code § 77001 (local trial court management). See also Gov't Code §§ 68073 (responsibility for court operations and facilities).

The section is also amended to correct the reference to former subdivision (f) of Section 869.

**Penal Code § 924.4 (amended). Grand jury succession**

**Comment.** Section 924.4 is amended to delete language referring to the sole judge. Every superior court has at least two judgeships as a result of trial court unification. See Gov't Code § 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or otherwise, the reference to the "presiding judge" means the sole judge of the court. See Gov't Code § 69508.5 (presiding judge).

**Penal Code § 932 (amended). Order of grand jury**

**Comment.** Section 932 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Penal Code § 933 (amended). Final report of grand jury**

**Comment.** Subdivision (b) of Section 933 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Penal Code § 938.1 (amended). Transcript of grand jury proceedings**

**Comment.** Subdivision (a) of Section 938.1 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by

the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Penal Code § 987.2 (amended). Appointment and compensation of counsel**

**Comment.** Subdivision (a) of Section 987.2 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 1000 (amended). Application of chapter to certain violations**

**Comment.** Subdivision (b) of Section 1000 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 1000.5 (amended). Preguilty plea drug court program**

**Comment.** Subdivision (a) of Section 1000.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 1050 (amended). Expediting trial**

**Comment.** Subdivision (b) of Section 1050 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 1089 (amended). Alternate jurors**

**Comment.** Section 1089 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 1203.1b (amended). Defendant's obligation to pay for probation supervision or conditional sentence**

**Comment.** Subdivision (a) of Section 1203.1b is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 1203.1c (amended). Defendant's obligation to pay for cost of incarceration in local detention facility**

**Comment.** Subdivision (a) of Section 1203.1c is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 1203.6 (amended). Adult probation officer**

**Comment.** Section 1203.6 is amended to delete language referring to "the judge" of the court. Every superior court has at least two judgeships as a result of trial court unification. See Gov't Code § 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or otherwise, a reference to the "presiding judge" means the sole judge of the court. See Gov't Code § 69508.5 (presiding judge).

The section is also amended to replace language referring to the senior judge with language referring to the presiding judge. Every superior court has a presiding judge. See Gov't Code §§ 69508, 69508.5.

**Penal Code § 1214 (amended). Enforcement of judgment for restitution fine or other fine**

**Comment.** Subdivision (c) of Section 1214 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution, and to reflect the repeal of Section 1462, concerning the jurisdiction of the municipal and superior courts. Subdivisions (c)(1)-(c)(3) are drawn from former Section 1462(a)-(b).

**Penal Code § 1237.5 (amended). Required documents for appeal**

**Comment.** Subdivision (b) of Section 1237.5 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Penal Code § 1240.1 (amended). Duties of defendant's counsel regarding appeal**

**Comment.** Subdivision (e)(1) of Section 1240.1 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. Where proceedings in a case were held in municipal court before unification, the reference to "all trial court proceedings" encompasses both the municipal and the superior court proceedings in the case.

**Penal Code § 1281a (amended). Bail in felony cases**

**Comment.** Section 1281a is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 1428 (amended). Docket**

**Comment.** Section 1428 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 1429.5 (repealed). Plea of not guilty by reason of insanity to misdemeanor charge in municipal court**

**Comment.** Section 1429.5 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. For a plea of not guilty by reason of insanity to a misdemeanor or other criminal charge in superior court, see Section 1026.

**Penal Code § 1462 (repealed). Municipal court jurisdiction**

**Comment.** Section 1462 is repealed to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. The provision is no longer necessary, because the superior court has original jurisdiction of all causes in a unified court system. See Cal. Const. art. VI, § 10 (original jurisdiction).

**Penal Code § 1463 (amended). Definitions**

**Comment.** Subdivision (f) of Section 1463 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 1524.1 (amended). HIV testing of accused's blood**

**Comment.** Subdivision (b)(4) of Section 1524.1 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 1538.5 (amended). Suppression motion**

**Comment.** Section 1538.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 3075 (amended). Board of parole commissioners**

**Comment.** Subdivision (a)(3) of Section 3075 is amended to delete language referring to the senior judge. Every superior court has a presiding judge. See Gov't Code §§ 69508, 69508.5.

**Penal Code § 3076 (amended). Rules and regulations**

**Comment.** Subdivision (c) of Section 3076 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 3085.1 (amended). Contra Costa County alternate public member**

**Comment.** Section 3085.1 is amended to delete language referring to the senior judge. Every superior court has a presiding judge. See Gov't Code §§ 69508, 69508.5.

**Penal Code § 3607 (amended). Return of death warrant**

**Comment.** Section 3607 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Penal Code § 4007 (amended). Transfer of prisoner**

**Comment.** Section 4007 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Penal Code § 4008 (amended). Copy of appointment**

**Comment.** Section 4008 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Penal Code § 4009 (amended). Revocation of designation**

**Comment.** Section 4009 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Penal Code § 4010 (amended). Service of copy of revocation**

**Comment.** Section 4010 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk

of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Penal Code § 4012 (amended). Pestilence or contagious disease**

**Comment.** Section 4012 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Penal Code § 4024.1 (amended). Accelerated release where inmate count exceeds bed capacity**

**Comment.** Subdivision (a) of Section 4024.1 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 4112 (amended). Resolution proclaiming establishment of industrial farm or road camp**

**Comment.** Section 4112 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 4301 (amended). Membership of county advisory committee on adult detention**

**Comment.** Section 4301 is amended to delete language referring to the senior judge. Every superior court has a presiding judge. See Gov't Code §§ 69508, 69508.5.

**Penal Code § 4303 (amended). Committee member expenses**

**Comment.** Section 4303 is amended to delete language referring to the senior judge. Every superior court has a presiding judge. See Gov't Code §§ 69508, 69508.5.

**Penal Code § 4304 (amended). Committee report**

**Comment.** Section 4304 is amended to delete language referring to the senior judge. Every superior court has a presiding judge. See Gov't Code §§ 69508, 69508.5.

**Penal Code § 4852.18 (amended). Certificate of rehabilitation**

**Comment.** Section 4852.18 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Penal Code § 6031.1 (amended). Biennial inspections of local detention facilities**

**Comment.** Section 6031.1 is amended to delete language referring to the sole judge. Every superior court has at least two judgeships as a result of trial court unification. See Gov't Code § 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or

otherwise, the reference to the “presiding judge” means the sole judge of the court. See Gov’t Code § 69508.5 (presiding judge).

**Penal Code § 13151 (amended). Disposition report**

**Comment.** Section 13151 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Penal Code § 14154 (amended). Referral of misdemeanor case to community conflict resolution program**

**Comment.** Section 14154 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**PROBATE CODE**

**Prob. Code § 1513 (amended). Investigation and report on proposed guardianship**

**Comment.** Subdivision (d) of Section 1513 is amended to reflect elimination of the county clerk’s role as ex officio clerk of the superior court. See former Gov’t Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov’t Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Prob. Code § 1821 (amended). Petition and supplemental information**

**Comment.** Subdivision (a)(5) of Section 1821 is amended to reflect elimination of the county clerk’s role as ex officio clerk of the superior court. See former Gov’t Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov’t Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Prob. Code § 1826 (amended). Court investigator’s duties**

**Comment.** Subdivision (n) of Section 1826 is amended to reflect elimination of the county clerk’s role as ex officio clerk of the superior court. See former Gov’t Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov’t Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Prob. Code § 1827.5 (amended). Assessment of proposed limited conservatee**

**Comment.** Subdivision (e) of Section 1827.5 is amended to reflect elimination of the county clerk’s role as ex officio clerk of the superior court. See former Gov’t Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov’t Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Prob. Code § 1851 (amended). Review by court investigator**

**Comment.** Subdivision (e) of Section 1851 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Prob. Code § 15688 (amended). Compensation of public guardian**

**Comment.** Subdivision (b) of Section 15688 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

PUBLIC RESOURCES CODE

**Pub. Res. Code § 14591.5 (amended). Enforcement of judgments**

**Comment.** Section 14591.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. The small claims court is a division of the superior court. Code Civ. Proc. § 116.210 (small claims division).

PUBLIC UTILITIES CODE

**Pub. Util. Code § 5411.5 (amended). Seizure or impoundment of vehicle**

**Comment.** Section 5411.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

REVENUE AND TAXATION CODE

**Rev. & Tax. Code § 19707 (amended). Venue**

**Comment.** Section 19707 is amended to reflect the repeal of Penal Code Section 1462, concerning the jurisdiction of the municipal and superior courts.

STREETS AND HIGHWAYS CODE

**Sts. & Hy. Code § 5419 (amended). Notice to street superintendent**

**Comment.** Section 5419 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Sts. & Hy. Code § 6619 (amended). Notice to treasurer**

**Comment.** Section 6619 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Sts. & Hy. Code § 6621 (amended). Decree of foreclosure**

**Comment.** Section 6621 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Sts. & Hy. Code § 6622 (amended). Certificate of cancellation**

**Comment.** Section 6622 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Sts. & Hy. Code § 6623 (amended). Entry of judgment or decree**

**Comment.** Section 6623 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Sts. & Hy. Code § 8266 (amended). Filing complaint**

**Comment.** Section 8266 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**UNEMPLOYMENT INSURANCE CODE**

**Unemp. Ins. Code § 1815 (amended). Unemployment contributions judgment**

**Comment.** Section 1815 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk

as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

## VEHICLE CODE

### **Veh. Code § 9805 (amended). Certificate of amount due**

**Comment.** Subdivision (a) of Section 9805 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

### **Veh. Code § 9806 (amended). Judgment for amount due**

**Comment.** Section 9806 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

### **Veh. Code § 9872.1 (amended). Vessel or component part with hull identification number removed, defaced, altered or destroyed**

**Comment.** Subdivision (e) of Section 9872.1 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

### **Veh. Code § 10751 (amended). Vehicle or component part with manufacturer's serial or identification number removed, defaced, altered or destroyed**

**Comment.** Subdivision (e) of Section 10751 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

### **Veh. Code § 11102.1 (amended). Return of deposit of driving school licensee**

**Comment.** Subdivision (a) of Section 11102.1 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

### **Veh. Code § 11203 (amended). Deposit in lieu of bond**

**Comment.** Section 11203 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

### **Veh. Code § 11301.5 (amended). Return of deposit of vehicle verifier**

**Comment.** Subdivision (a) of Section 11301.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

### **Veh. Code § 11710.2 (amended). Return of deposit of dealer**

**Comment.** Subdivision (a) of Section 11710.2 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Veh. Code § 27362 (amended). Sale or installation of nonconforming child restraint system**

**Comment.** Subdivision (b)(1) of Section 27362 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Veh. Code § 40256 (amended). Judicial review of decision on toll evasion**

**Comment.** Subdivision (a) of Section 40256 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

Subdivision (b) is amended to make clear that the fee for seeking review pursuant to this section is the amount specified in this section (\$25), not the usual fee for filing the first paper in a limited civil case.

**Veh. Code § 40502 (amended). Place to appear**

**Comment.** Section 40502 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. *Cf.* Code Civ. Proc. § 38 (judicial district).

**Veh. Code § 40506.5 (amended). Request for continuance**

**Comment.** Section 40506.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Veh. Code § 42003 (amended). Payment of fines and costs**

**Comment.** Subdivision (c) of Section 42003 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Veh. Code § 42008 (amended). County amnesty program for delinquent fines and bail**

**Comment.** Subdivision (b) of Section 42008 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Veh. Code § 42008.5 (amended). One-time amnesty program**

**Comment.** Subdivision (b) of Section 42008.5 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Veh. Code § 42203 (amended). Disposition of fines and forfeitures for violations on certain county owned premises**

**Comment.** Section 42203 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

WELFARE AND INSTITUTIONS CODE

**Welf. & Inst. Code § 246 (amended). Designation of juvenile court judge**

**Comment.** Section 246 is amended to reflect the fact that every superior court has at least two judgeships as a result of trial court unification. See Gov't Code § 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or otherwise, a reference to the "presiding judge" means the sole judge of the court. See Gov't Code § 69508.5 (presiding judge).

The section is also amended to delete language referring to the senior judge. Every superior court has a presiding judge. See Gov't Code §§ 69508, 69508.5.

**Welf. & Inst. Code § 255 (amended). Juvenile hearing officers**

**Comment.** Section 255 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

The section is also amended to reflect enactment of the Trial Court Funding Act. See Gov't Code §§ 77001 (local trial court management), 77200 (state funding of trial court operations).

The section is also amended to reflect enactment of the Trial Court Employment Protection and Governance Act. See Gov't Code § 71622(a) (each trial court may appoint subordinate judicial officers as deemed necessary, subject to Judicial Council approval).

The section is also amended to delete language referring to the senior judge. Every juvenile court with more than one juvenile court judge has a presiding judge. See Section 246 (appointment of presiding judge).

**Welf. & Inst. Code § 270 (amended). County officers**

**Comment.** Section 270 is amended to correct an erroneous reference to Government Code Section 69906.

**Welf. & Inst. Code § 601.4 (amended). Compulsory education violation**

**Comment.** Section 601.4 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Welf. & Inst. Code § 656 (amended). Petition to declare minor a ward of the court**

**Comment.** Subdivision (i) of Section 656 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Welf. & Inst. Code § 661 (amended). Notice and citation**

**Comment.** Section 661 is amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Welf. & Inst. Code § 742.16 (amended). Cleanup, repair, replacement, or restitution**

**Comment.** Subdivisions (l) and (n) of Section 742.16 are amended to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

**Welf. & Inst. Code § 872 (amended). Transfer to juvenile hall outside county**

**Comment.** Section 872 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Welf. & Inst. Code § 1737 (amended). Commitment recall and resentencing**

**Comment.** Section 1737 is amended to delete language referring to the sole judge. Every superior court has at least two judgeships as a result of trial court unification. See Gov't Code § 69580 *et seq.* (number of judges). Where a court has only one judge due to a vacancy or otherwise, the reference to the "presiding judge" means the sole judge of the court. See Gov't Code § 69508.5 (presiding judge).

**Welf. & Inst. Code § 5205 (amended). Petition**

**Comment.** Section 5205 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk

of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Welf. & Inst. Code § 6251 (amended). Petition**

**Comment.** Section 6251 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**Welf. & Inst. Code § 6776 (amended). Number and compensation of counselors in mental health**

**Comment.** Section 6776 is amended to reflect the repeal of Government Code Section 69894.1, concerning salaries of court personnel in Los Angeles County, and the enactment of the Trial Court Employment Protection and Governance Act. See Gov't Code §§ 71620 (trial court personnel), 71623 (salaries), 71624 (retirement plans), 71625 (accrued leave benefits), 71628 (deferred compensation plan benefits), 71629 (trial court employment benefits not affected), 71640-71645 (employment selection and advancement), 71673 (authority of court).

**Welf. & Inst. Code § 14172 (amended). Health care overpayment recovery**

**Comment.** Subdivision (a) of Section 14172 is amended to reflect elimination of the county clerk's role as ex officio clerk of the superior court. See former Gov't Code § 26800 (county clerk acting as clerk of superior court). The powers, duties, and responsibilities formerly exercised by the county clerk as ex officio clerk of the court are delegated to the court administrative or executive officer, and the county clerk is relieved of those powers, duties, and responsibilities. See Gov't Code §§ 69840 (powers, duties, and responsibilities of clerk of court and deputy clerk of court), 71620 (trial court personnel).

**UNCODIFIED**

**Uncodified (added). Saving clause — rights and benefits**

**Uncodified (added). Effect of act — court reporting services**

**Uncodified (added). Deferred operative date — Code Civ. Proc. §§ 198.5, 199, 199.2, 199.3, and 199.5**