APPENDIX 5

REPORT OF THE
CALIFORNIA LAW REVISION COMMISSION
ON CHAPTER 784 OF THE STATUTES OF 2002
(SENATE BILL 1316)

Statutes Made Obsolete by Trial Court Restructuring

Chapter 784 of the Statutes of 2002 was introduced as Senate Bill 1316 by the Senate Committee on Judiciary. It implements the California Law Revision Commission recommendation on *Statutes Made Obsolete by Trial Court Restructuring: Part 1*, 32 Cal. L. Revision Comm'n Reports 1 (2002). The new and revised Comments set out below supplement and supersede the comparable Comments in the recommendation. They reflect technical revisions to address bill conflicts, as well as amendments made to Senate Bill 1316 in the legislative process.

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

Comment. Subdivision (d)(6) of 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. § 215 (amended). Fees and mileage for jurors

Comment. References to the municipal courts are deleted from subdivisions (a) and (b) of Section 215 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 §§ 69941 (appointment of

official reporters), 70311 (responsibility for court operations and facilities).

The section is also amended to delete the reference to insanity proceedings or proceedings for the feebleminded. That provision is superseded by Government Code Section 69952(a)(4) (verbatim record in proceedings under Lanterman-Petris-Short Act).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. Subdivision (b) of Section 394 is deleted 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. The fifth and sixth paragraphs of Section 396 are deleted 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).

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 [now Section 70311], 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 § 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 [now Section 70311], 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 § 70219 (added). Judicial Council and Law Revision Commission studies and recommendations

Comment. Section 70219 continues former Section 70219 without substantive change. For provisions relating to restatements and continuations of existing law, see Section 2.

Gov't Code § 70311 (new). Responsibility for court operations and facilities

Comment. Section 70311 as enacted incorporates revisions to former Section 68073(c)-(d) deleting references 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 §§ 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). 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 § 71266 (added). Fees to be collected by marshals

Comment. Section 71266 continues former Section 71266 without substantive change. For provisions relating to restatements and continuations of existing law, see Section 2.

Gov't Code § 72194.5 (repealed). Use of electronic equipment

Comment. The substance of Section 72194.5 is continued with revisions as Section 69957. See Comment to Section 69957.

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-marshal 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).

Gov't Code § 72711 (added). 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); Cal. R. Ct. 810 (court operations).

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).

Gov't Code § 72711.5 (added). 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); Cal. R. Ct. 810 (court operations).

For provisions relating to restatements and continuations of existing law, see Section 2.

Gov't Code § 72713 (added). 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 substantive change.

For provisions relating to restatements and continuations of existing law, see Section 2.

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).

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 Section 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 69953 (payment of fees), 70311 (responsibility for court operations and facilities).

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 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 69953 (payment of fees).

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 70311 (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 69590 (number of judges in Monterey County), 70311 (responsibility for court operations and facilities); 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 §§ 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 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), 77211 ("900" telephone numbers). See also Section 69953 (payment of fees).

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 69508 (presiding judge), 69584 (number of judges in Humboldt County), 70311 (responsibility for court operations and facilities); 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 § 73665 (added). 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 [now Section 70311].

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).

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 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 Sections 69953 (payment of fees), 70311 (responsibility for court operations and facilities).

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 Section 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 69953 (payment of fees), 70311 (responsibility for court operations and facilities).

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 Section 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 70311 (responsibility for court operations and facilities).

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), 69953 (payment of fees).

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 69588.3 (number of judges in Mariposa County), 70311 (responsibility for court operations and facilities); 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 §§ 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), 69588.7 (number of judges in Mendocino County), 70311 (responsibility for court operations and facilities); 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 Section 69941 (appointment of official reporters).

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 Section 69589 (number of judges in Merced County); 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 70311 (responsibility for court operations and facilities).

Gov't Code § 73796 (added). Marshal of Merced County Municipal Court

Comment. Section 73796 continues former Section 73796 without change. For provisions relating to restatements and continuations of existing law, see Section 2.

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 Section 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 69953 (payment of fees), 70311 (responsibility for court operations and facilities).

(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 §§ 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 69591.3 (number of judges in Placer County), 70311 (responsibility for court operations and facilities); 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 Section 69941 (appointment of official reporters).

(3) Enactment of the Trial Court Funding Act. See Section 77001 (local trial court management).

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 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 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 §§ 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 Section 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), 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 Section 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 69953 (payment of fees), 70311 (responsibility for court operations and facilities).

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 Section 70311 (responsibility for court operations and facilities).

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), 69953 (payment of fees).

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 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), 77211 ("900" telephone numbers). See also Section 69953 (payment of fees).

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 Section 69953 (payment of fees).

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 69611 (number of judges in Yuba County), 70311 (responsibility for court operations and facilities); 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 §§ 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 69581 (number of judges in Butte County), 70311 (responsibility for court operations and facilities); 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 Section 69941 (appointment of official reporters).

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 Section 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 70311 (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 §§ 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 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 Sections 69953 (payment of fees), 70311 (responsibility for court operations and facilities).

Penal Code § 830.1 (amended). Peace officers

   Comment. The reference to "municipal court" in subdivision (a) of Section 830.1 is replaced by a reference to "superior court" to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution.

   Subdivision (a)(1) is amended to make clear the authority of marshals who are employed by the superior court. 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 § 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 § 70311 (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 § 70311 (responsibility for court operations and facilities).

   The section is also amended to correct the reference to former subdivision (f) of Section 869.

Penal Code § 1050 (amended). Expediting trial

   Comment. The last sentence of subdivision (b) of Section 1050 is deleted 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. A reference to the municipal court is deleted from subdivision (b)(4) of Section 1524.1 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. References to the municipal court are deleted from Section 1538.5 to reflect unification of the municipal and superior courts pursuant to Article VI, Section 5(e), of the California Constitution. Some references to the superior court are also deleted as surplus due to trial court unification, or replaced by a reference to the appellate division.

Veh. Code § 40508.6 (amended). Administrative assessments

Comment. Section 40508.6 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).

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