

MEMORANDUM



Date: April 20, 2007

To: The Honorable Mark Leno, Chair
Members, Assembly Appropriations Committee

From: Rex D. Frazier, President
Michael A. Gunning, Vice President
Michael A. Paiva, Senior Legislative Advocate
Ermelinda Ruiz, Legislative Advocate

Re: AB 500 (Lieu): Civil Actions: telephonic appearances.
Assembly Appropriations Committee Hearing: April 25, 2007
PIFC Position: Support

The Personal Insurance Federation of California (PIFC), representing insurers who write over 50% of all personal lines insurance sold in California, including State Farm, Farmers, Safeco, 21st Century, Progressive, and NAMIC, **supports Assembly Bill 500**, authored by Assembly Member Lieu.

AB 500 is a common sense measure that will lead to a more efficient and consistent use of telephonic appearances in specified instances. Under current practice, courts are guided by Rule of Court 3.670 which provides for telephonic appearances in many circumstances. Unfortunately, the rule is applied inconsistently across the state. This inconsistent application of the rule has led to confusing and frustrating results. Furthermore, it appears that some courts and judges have been slow to embrace the rule.

PIFC notes that Rule of Court 3.670 (c) (2) requires "case management conferences" to be made in person unless the court permits telephone appearances at these conferences. PIFC asserts that telephonic appearances at these conferences should be the rule and a personal appearance the exception. Case management conferences and many other appearances can be completed in a matter of minutes and it makes no sense to force attorneys to clog the roadways and contribute to pollution when these matters could easily be dealt with over the phone.

In addition, PIFC notes that some courts may not be equipped with the necessary modern technology to allow for telephonic conferences. PIFC is hopeful that the introduction of AB 500 and the discussions that will take place among the courts and other stakeholders will accelerate the roll-out of more modern technology in our courts.

For the above reasons, PIFC **supports AB 500 (Lieu)**. If you have any questions, please contact Michael A. Paiva at (916) 442-6646.

cc: Assembly Member Ted Lieu, Author
Chuck Nicol, Consultant, Assembly Appropriations Committee
Allan Cooper, Consultant, Assembly Republican Caucus
Kathleen Webb, Office of the Insurance Advisor

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