

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1008**

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**Introduced by Assembly Member Torres**

February 22, 2013

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An act to amend Section ~~167 of the Code of Civil Procedure~~ 69841 of the Government Code, relating to ~~civil procedure courts~~.

LEGISLATIVE COUNSEL'S DIGEST

AB 1008, as amended, Torres. Civil procedure: judges.

Existing law requires the clerk of the superior court to attend each session of the superior court in the county and upon the judges of the court in chambers when required. Existing law authorizes a judge to perform any act required or permitted to be performed by a clerk of the court.

*This bill would provide that the above-described requirements of a court clerk are not satisfied by a judge performing the duties of a clerk pursuant to the latter provision.*

~~This bill would make a nonsubstantive change to that provision.~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 69841 of the Government Code is
- 2 amended to read:
- 3 69841. (a) The clerk of the superior court shall attend each
- 4 session of the superior court in the county and upon the judges of
- 5 the court in chambers when required.

1     **(b)** *The requirements of subdivision (a) are not satisfied by the*  
2 *attendance of a judge performing the duties of a clerk pursuant to*  
3 *Section 167 of the Code of Civil Procedure.*

4     ~~SECTION 1. Section 167 of the Code of Civil Procedure is~~  
5 ~~amended to read:~~

6     ~~167. An act required or permitted to be performed by the clerk~~  
7 ~~of a court may be performed by a judge thereof.~~