

3-22-1994

## Reasonable Attorney'S Fees.

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#642



Office of the Secretary of State  
Tony Miller  
Acting Secretary of State

1230 J Street  
Sacramento, California 95814

ELECTIONS DIVISION  
(916) 445-0820

For Hearing and Speech Impaired  
Only:  
(800) 833-8683

August 30, 1994

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND  
PROPONENT (94212)

FROM:

A handwritten signature in cursive script that reads "Cathy Mitchell".

CATHY MITCHELL  
INITIATIVE COORDINATOR

Pursuant to Elections Code section 3520(b), you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE STATUTE filed with all county elections officials is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has failed.

TITLE: REASONABLE ATTORNEY'S FEES.  
INITIATIVE STATUTE.

SUMMARY DATE: March 22, 1994

PROPONENT: Norman Bedford

county\status.ltr\94212







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March 22, 1994

TO ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENT (94077)

Pursuant to Section 3513 of the Elections Code, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed Initiative Measure entitled:

REASONABLE ATTORNEY'S FEES.  
 INITIATIVE STATUTE.

Circulating and Filing Schedule

1. Minimum number of signatures required ..... 384,974  
 Cal. Const., Art. II, Sec. 8(b).
2. Official Summary Date ..... Tuesday, 03/22/94  
 Elec. C., Sec. 3513.
3. Petition Sections:
  - a. First day Proponent can circulate Sections for  
 signatures ..... Tuesday, 03/22/94  
 Elec. C., Sec. 3513.
  - b. Last day Proponent can circulate and file with  
 the county. All sections are to be filed at  
 the same time within each county ..... Thursday, 08/18/94  
 Elec. C., Secs. 3513, 3520(a)
  - c. Last day for county to determine total number of  
 signatures affixed to petition and to transmit total  
 to the Secretary of State ..... Tuesday, 08/30/94

(If the Proponent files the petition with the county on a date prior to 08/18/94, the county has eight working days from the filing of the petition to determine the total number of signatures affixed to the petition and to transmit the total to the Secretary of State.) Elec. C., Sec. 3520(b).



d. Secretary of State determines whether the total number of signatures filed with all county clerks meets the minimum number of required signatures, and notifies the counties . . . . . Thursday, 09/08/94\*

e. Last day for county to determine total number of qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State . . . . . Monday, 10/24/94

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 09/08/94, the last day is no later than the thirtieth day after the county's receipt of notification.)  
Elec. C., Sec. 3520(d), (e).

f. If the signature count is more than 423,472 or less than 365,726 then the Secretary of State certifies the petition has qualified or failed, and notifies the counties. If the signature count is between 365,726 and 423,472 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of all signatures . . . . . Thursday, 11/03/94\*

g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State . . . . . Tuesday, 12/20/94

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 11/03/94, the last day is no later than the thirtieth working day after county's receipt of notification.)  
Elec. C., Sec. 3521(b), (c).

h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient . . . . . Saturday, 12/24/94\*

\* Date varies based on receipt of county certification.

4. The Proponent of the above-named measure is:

Norman Bedford  
Citizens for Justice for All  
P.O. Box 1443  
Healdsburg, CA 95448  
(704) 433-7841

5. Important Points:

- (a) California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fund raising or requests for support. Any such misuse constitutes a crime under California law. Elections Code section 29770; *Bilofsky v. Deukmejian* (1981) 123 Cal.App. 3d 825, 177 Cal.Rptr. 621; 63 Ops. Cal.Atty.Gen. 37 (1980).
- (b) Please refer to Elections Code sections 41, 41.5, 44, 3501, 3507, 3508, 3517, and 3519 for appropriate format and type consideration in printing, typing, and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- (c) Your attention is directed to the campaign disclosure requirements of the Political Reform Act of 1974, Government Code section 81000 et seq.
- (d) When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- (e) When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- (f) When filing the petition with the county elections official, please provide a blank petition for elections official use.

**NOTE TO PROPONENTS WHO WISH TO QUALIFY FOR THE NOVEMBER 8, 1994 GENERAL ELECTION:** This initiative must be certified for the ballot 131 days before the election (June 30, 1994). Please remember to time your submissions accordingly. For example, in order to allow the maximum time permitted by law for the random sample verification process, it is suggested that proponents file their petitions to county elections officials by April 22, 1994. If a 100% check of signatures is necessary, it is advised that the petitions be filed by March 2, 1994.

Sincerely,



DEIRDRE AVENT  
ELECTIONS ANALYST

DANIEL E. LUNGREN  
Attorney General

State of California  
DEPARTMENT OF JUSTICE



1515 K STREET, SUITE 511  
P.O. Box 944255  
SACRAMENTO, CA 94244-2550  
(916) 445-9555

(916) 324-5490

March 22, 1994

**FILED**  
In the office of the Secretary of State  
of the State of California

MAR 22 1994

Tony Miller  
Acting Secretary of State  
1230 J Street  
Sacramento, CA 95814

TONY MILLER  
Acting Secretary of State  
*Anthony A. Aveni*  
Deputy

Re: Initiative Title and Summary  
Subject: REASONABLE ATTORNEY'S FEES. INITIATIVE STATUTE.  
File No: SA 94 RF 0008

Dear Mr. Miller:

Pursuant to the provisions of sections 3503 and 3513 of the Elections Code, you are hereby notified that on this day we mailed to the proponent of the above-identified proposed initiative our title and summary.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of mailing thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent is as stated on the declaration of mailing.

Sincerely,

DANIEL E. LUNGREN  
Attorney General

*Kathleen F. DaRosa*  
KATHLEEN F. DaROSA  
Initiative Coordinator

KFD:ms  
Enclosures

Date: March 22, 1994  
File No: SA94RF0008

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

**REASONABLE ATTORNEY'S FEES. INITIATIVE STATUTE.** Measure provides that the prevailing party in all civil law cases shall, as part of the judgment, be awarded reasonable attorney's fees. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: The net fiscal impact is unknown. The payment of attorney's fees would result in state and local costs in cases lost and savings in cases won. It would affect the behavior of people, resulting in an unknown change in the number of civil cases filed, the number settled versus those tried, and the types of awards. These changes, in turn, could have unknown effects on state and local government costs with regard to (1) their status as parties to civil suits (awards paid and received, legal expenses) and (2) their operation of the trial courts.



Citizens for Justice for All

P.O. Box 1443  
Healdsburg, California 95448

(707) 433-7841

RECEIVED

JAN 27 1994

INITIATIVE COORDINATOR  
ATTORNEY GENERAL'S OFFICE

January 24, 1994

Daniel E. Lungren, Attorney General  
Initiative Coordinator  
State of California  
Department of Justice  
1515 K Street, Suite 511  
Sacramento, CA 94244-2550

RE: REASONABLE ATTORNEY'S FEES, INITIATIVE STATUTE  
File no. SA 93 RF 0015

Dear Attorney General:

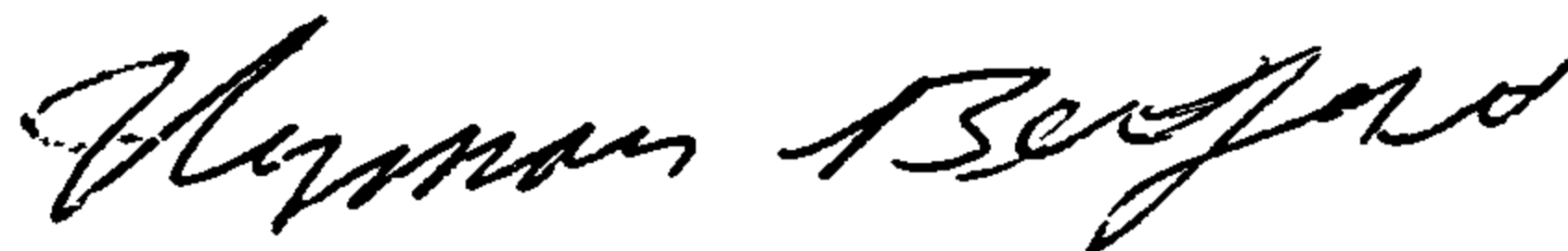
We wish to resubmit the REASONABLE ATTORNEY'S FEES, INITIATIVE STATUTE.

The proposed initiative shall read:

"The prevailing party in all civil law cases shall, as part of the judgment, be awarded reasonable attorney's fees."

Enclosed is our declaration pursuant to sections 3502 and 5358 of the Elections Code, and our check in the amount of \$200.00.

Sincerely,



Norman Bedford, Proponent

<u>#</u>	<u>Title</u>	<u>Type</u>	<u>S/D</u>	<u>Proponent Deadline</u>	<u>Clerk's Deadline</u>	<u>Status</u>	<u>Election Qual. for</u>
633.	ELECTIONS. OPEN PRIMARY. Richard B. Ferrari Trish Hooper	S	02/14/94	07/13/94	07/25/94		
634.	TAXES. LOCAL DEBT. ASSESSMENTS. Richard L. Gann Lee A. Phelps Lewis K. Uhler Ernani Bernardi	CA	02/23/94	07/22/94	08/03/94		
635.	RELEASE FROM CUSTODY. FACIAL IMPLANT. Norman J. Bedford	S	02/23/94	07/22/94	08/03/94		
636.	INITIATIVE POWER. Michael J. Barkley	CA	03/07/94	08/03/94	08/15/94		
637.	SECESSION FROM UNION. CALIFORNIA REPUBLIC. Robert L. Bell	CA	03/09/94	08/05/94	08/17/94		
638.	SMOKING AND TOBACCO PRODUCTS. STATEWIDE REGULATION. Julian Diamond Donna Maret-Fahrenheit	S	03/09/94	08/05/94	08/17/94		
639.	INSURANCE. AUTOMOBILES. CLAIMS. RATES. John L. "Jack" Harden James "Jim" Furbee	S	03/18/94	08/15/94	08/25/94		
640.	CONSTITUTIONAL TAX RATE. Edward J. "Ted" Costa Maj. General Sid Novaresi (USAF) Ret. Dr. Arthur B. Laffer Dr. Victor A. Canto	CA	03/18/94	08/15/94	08/25/94		
641.	REPEAL OF PAROLE. FIXED SENTENCING. E. Andrew Schooler	S	03/22/94	08/18/94	08/30/94		
642.	REASONABLE ATTORNEY'S FEES. Norman Bedford	S	03/22/94	08/18/94	08/30/94		

