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## Introduction

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# Introduction

Legislation continually affects our lives, not only as attorneys, but as informed members of society. Awareness of legislative change is essential for anyone in the California legal community. One change, for example, may impact upon a client's legal remedy or defense. Changes often concern the procedures surrounding a course of action, and other changes influence conduct in our everyday lives. Still others indicate trends in society which will eventually lead to further changes in the law.

With this understanding, the editors and staff of the *Pacific Law Journal* present the eighteenth annual Review of Selected California Legislation. Our purpose is to select significant legislation enacted during the 1987 session and to analyze those changes by comparing prior and existing law with new law. In selecting legislation for analysis in the Review, the editors use the following criteria: (1) Whether the bill will affect the practicing bar, or judiciary; (2) whether the bill will impact upon the work of legal specialists; and (3) whether the bill will interest the attorney as a community leader. In order to promote the continuity of the publication, the editors also considered whether a particular subject was reviewed in previous issues of the Review.

Each review begins with a description of the topic area, a listing of sections affected by the bill, the bill and chapter numbers, and the author of the bill. The effective date of the legislation is January 1, 1988, unless specifically noted otherwise in the heading. To facilitate access to specific code sections of interest, a table of code sections affected by the bills analyzed in this Review is located at the end of this issue. In addition, two tables for cross-referencing bill numbers

with chapter numbers are provided to aid further in finding particular legislation. To facilitate access to significant cases, a table of cases mentioned in the text has, once again, been added.

Certain terms are used consistently throughout the Review and are worthy of definition. The term "prior law" refers to the law in effect before the enactment of the 1987 legislation, but which is no longer in effect after passage of the new legislation. "Existing law" refers to law which was in effect before the passage of the 1987 legislation and which remains in effect after the passage of the new legislation.

The publication of the Legislative Review requires the efforts of many individuals connected with the *Pacific Law Journal*. In light of this, I would like to express my deepest appreciation to my Associate Editors, Jane Randolph, Paul Smith, and Steven Smith, for their endless hours of editing as well as the input and guidance they provided regarding the content and direction of this publication. Furthermore, I would like to thank the Assistant Legislative Editors, Michael Bowman and James T. Hardin; the Editor in Chief, Susan Flanagan; and Timothy Long and John Kennedy of the Managing Department for making this Review possible. Most significantly, I would like to thank the writers of the Legislative Review Staff. Their dedication and expertise throughout every aspect of the Review has enabled the Pacific Law Journal to present a quality research source to the members of the California bar and to publish a Review which distinguishes the McGeorge School of Law. In recognition of this fact, the initials of each writer has been added to the end of each write-up. Some analyses of legislation were a result of the efforts of both present and past legislative review staffs, and as a result have been marked with the initials "PLJ." In fairness to the writers, I must point out that the number of write-ups a particular writer authored is not necessarily indicative of the writer's contribution to this Review. Rather, most of these differences can be attributed to the legislative process, especially the last few days of the legislative session where many bills die in committee, get vetoed, or get chaptered out. Overall, the Legislative Review cannot be described as anything but a team effort.

The entire Legislation Department would like to thank Mr. Owen Kuns, Retired Legislative Counsel, whose comments and suggestions assisted us in assuring the substantive accuracy of this Review. His insights into the California legislative process make our efforts an educational and beneficial venture. Additionally, we wish to thank

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Professor Jerome J. Curtis for his guidance and continued support as Advisor to the Pacific Law Journal. Finally, Sharleen Driver, our Secretary, deserves many thanks and praise for her unending support and encouragement.

PHILIP L. WEVERKA  
*Legislation Editor*