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Introduction

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Introduction

Change. No person, business, or other organization is immune from change, and legislative change may reorder the legal rights and responsibilities that govern our lives and activities. Being aware of important legislative changes is valuable for all people, but especially for those representing the legal interests of their clients.

With this understanding, the editors and staff of the *Pacific Law Journal* present the nineteenth annual Review of Selected California Legislation. We have included significant legislation enacted during the 1988 session in this issue and our analysis focuses on the important changes made in existing California law. We have discussed existing and prior law only when necessary to make the changes understandable. This is a change from past reviews that compared new legislative measures with existing and prior law. We felt our readers would be better served by alerting them to the changes made to the statutes than by spending a great deal of time discussing existing law. 1988 also marks the *Pacific Law Journal's* introduction of Legislative Notes. These notes are reserved for the more important legislative enactments. They will include a brief background of the law changed by the legislation, a critical analysis of the new legislative measure, and a discussion of potential ramifications. These notes will appear in the April or July editions of the *Journal*.

In selecting legislation for analysis in this 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, the author of the bill, and the sponsor of the bill as well as the major

organizational support of and opposition to the bill in its chaptered form. The effective date of the legislation is January 1, 1989, 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 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 1988 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 1988 legislation and which remains in effect after the passage of the new legislation.

Publication of this Review would not be possible without the dedicated work of many individuals connected with the *Pacific Law Journal*. I express my heartfelt appreciation to the writers of the Legislative Review staff. Their collective enthusiasm, patience, and hard work has made this Review possible. I would also like to thank Associate Editor, L. Jeffrey Norwalk, Assistant Editors, Suzanne Woo and Robert Morgester, Editor in Chief, Art Woodward, and Robert Lucas and Jo Dunlap of the Managing Department for their endless hours of editing. I reserve a special thanks for my other Associate Editor, Paul Sienski. If the title of Co-Legislation Editor existed, he would be a most deserving recipient. His patience and assistance in the administration of the Legislation Department has been invaluable. 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, Deputy Legislative Counsel Retired, and Mr. Edward Purcell, Principal Deputy Legislative Counsel Retired, whose comments and suggestions assisted us in assuring the substantive accuracy of this Review. Their insights into the California legislative process make our efforts an educational and beneficial venture. Additionally, we

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

CURTIS D. RINDLISBACHER
Legislation Editor

