

STATE BAR SECTIONS ENJOY SUCCESSFUL LEGISLATIVE YEAR

The sections of the State Bar enjoyed another extremely successful legislative year in 2005, seeing seven of eight sponsored bills signed into law by Governor Schwarzenegger.

The other section-sponsored bill, a detailed re-writing of California's Revised Uniform Limited Partnership Act ([AB 339](#) – [Harman](#)) was made a two-year bill to permit more in-depth legislative analysis. It will continue to move forward in 2006.

The enacted legislation was sponsored by the Business Law Section (BLS) and Trusts & Estates Section (T&E). The sponsored bills enacted were:

[AB 241](#) ([Harman](#)) – BLS – Extends the tax clearance certificate exemption that currently applies to corporate mergers to mergers between two or more domestic or foreign limited partnerships, limited liability companies or limited liability partnerships.

[AB 248](#) ([Tran](#)) – BLS – Corrects obsolete cross references in cleanup of changes made to the Uniform Fraudulent Transfers Act by SB 1408 of 2004, another bill sponsored by the BLS.

[SB 119](#) ([Ackerman](#)) – BLS - Revises and extends to corporations, mutual benefit corporations, and consumer cooperative corporations a current provision applicable to nonprofit public benefit and nonprofit religious corporations that allows voting on a potential self-dealing transaction by written consent, under specified conditions.

[SB 296](#) ([Campbell](#)) – T&E - Corrects vague language in California's Uniform Principal and Income Act (UPIA) which in December 2004 was interpreted by the Court of Appeals in *The Estate of Thomas* (2004) 124 Cal.App.4th 711 in a manner that would lead to illogical and unfair results if allowed to stand.

[SB 754](#) ([Poochigian](#)) – T&E - Addresses a problem of equity in the distribution of trust income, by authorizing California trustees to convert income trusts to unitrusts, consistent with new Federal Treasury regulations.

[SB 973](#) ([Kuehl](#)) – T&E – Comprehensive bill which included provisions sponsored by T&E Section to amend the Probate Code to specify that conservatees in California have the same right to enter into domestic partnerships as they do marriages.

[SCR 42](#) ([Campbell](#)) – T&E- Requires the California Law Revision Commission (CLRC) to conduct a comprehensive review of provisions of the

Probate Code relating to "no contest," including analysis of whether such clauses should be eliminated.

The sections are proposing to sponsor [13 new bills](#) as part of their 2006 Legislative Program. The State Bar's Board of Governors will be considering these proposals this coming weekend (October 21-22) at its meeting at the State Bar offices in Los Angeles.

ASSEMBLY JUDICIARY COMMITTEE PROFILES – NOREEN EVANS

(This is the first in a series of brief profiles of the members of the Assembly and Senate Judiciary Committees.)

Assembly Member [Noreen Evans](#), an attorney, is beginning her second year in the state Assembly.



She was first elected in November 2004 to represent the 7th Assembly District (including Napa, Solano, and Sonoma counties) after a very narrow primary victory and a comfortable win the general election.

Evans has lived and worked in Sonoma County since 1982 where her legal career focused on civil litigation and appeals. Prior to her election to the Assembly, she was an attorney with the Santa Rosa law firm Lanahan & Reilly, LLP and was formerly a litigation partner in the Santa Rosa law firm O'Brien, Watters, & Davis. She also served in local government for 11 years, both as a Planning Commissioner and a two-term City Council Member in Santa Rosa.

Born in San Diego in 1955, Evans received her BA in Government from California State University, Sacramento in 1978, and her juris doctorate from the University of Pacific, McGeorge School of Law in 1981. After graduation, she studied international business law at the University of Salzburg and worked in Ireland at a Dublin firm of solicitors. She lives in Santa Rosa with her husband Mark Fudem, a fellow attorney who serves as a Worker's Compensation Administrative Law Judge. They have three children: Erin, Joel, and Rachel.

In addition to serving on the Assembly Judiciary Committee, Evans chairs the Committee on Human Services, and sits on the Budget and Veterans Affairs Committees. As befits her district, she also chairs the Assembly Select Committee on Wine.