

AMENDED IN SENATE JUNE 17, 2008

AMENDED IN SENATE MARCH 3, 2008

AMENDED IN SENATE JUNE 14, 2007

AMENDED IN ASSEMBLY APRIL 23, 2007

AMENDED IN ASSEMBLY APRIL 9, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 1679

Introduced by Assembly Member Evans

February 23, 2007

An act to amend Section 7643 of the Family Code, relating to paternity actions.

LEGISLATIVE COUNSEL'S DIGEST

AB 1679, as amended, Evans. Paternity actions: records.

The Uniform Parentage Act governs the determination of parent and child relationships in this state, including a judgment of paternity. Existing law requires that, in a trial or hearing held pursuant to provisions governing paternity, papers and records, other than the final judgment, pertaining to the action or proceeding, whether part of the permanent record of the court or of a file in a public agency or elsewhere, are subject to inspection only in exceptional cases upon an order of the court for good cause shown. However, papers and records pertaining to the action or proceeding that are part of the permanent record of the court are subject to inspection by the parties to the action and their attorneys.

This bill would ~~instead provide that all papers and records, other than the final judgment, pertaining to the action or proceeding, whether part of the permanent record of the court or of a file in a public agency or elsewhere, are subject to inspection only by the parties to the action, their attorneys, the agents of the party, or the attorney acting under written authorization, or, in exceptional cases, upon an order of the court for good cause shown~~ *additionally authorize an agent acting pursuant to written authorization from the parties to the action or their attorneys to inspect those records, as specified.*

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 7643 of the Family Code is amended to
2 read:

3 7643. (a) Notwithstanding any other law concerning public
4 hearings and records, a hearing or trial held under this part may
5 be held in closed court without admittance of any person other
6 than those necessary to the action or proceeding. Except as
7 provided in subdivision (b), all papers and records, other than the
8 final judgment, pertaining to the action or proceeding, whether
9 part of the permanent record of the court or of a file in a public
10 agency or elsewhere, are subject to inspection only in exceptional
11 cases upon an order of the court for good cause shown.

12 (b) Papers and records pertaining to the action or proceeding
13 that are part of the permanent record of the court are subject to
14 inspection by the parties to the action ~~and~~, their attorneys, *and by*
15 *agents acting pursuant to written authorization from the parties*
16 *to the action or their attorneys. An attorney shall obtain the consent*
17 *of the party to the action prior to authorizing an agent to inspect*
18 *the permanent record. An attorney shall also state on the written*
19 *authorization that he or she has obtained the consent of the party*
20 *to authorize an agent to inspect the permanent record.*

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23 ~~7643. Notwithstanding any other law concerning public~~
24 ~~hearings and records, a hearing or trial held under this part may~~
25 ~~be held in closed court without admittance of any person other~~
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1 records, other than the final judgment, pertaining to the action or
2 proceeding, whether part of the permanent record of the court or
3 of a file in a public agency or elsewhere, are subject to inspection
4 only by the parties to the action, their attorneys, the agents of the
5 party, or the attorney acting under written authorization, or in
6 exceptional cases upon an order of the court for good cause shown.

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