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March 17, 2022

The Honorable Nancy Skinner
Member of the Senate, 9th Senate District
1021 O Street, Suite 8630
Sacramento, CA 95814

Re: SB 1200 (Skinner)
Position: Oppose unless amended

Dear Senator Skinner,

On behalf of the California Association of Certified Family Law Specialists, a non-profit organization with 661 members who are certified family law specialists by the State Bar of California, Board of Legal Specialization, I write to oppose Senate Bill 1200 unless it is amended.

SB 1200 changes exiting law regarding renewal of money judgments and interest that runs on such judgments. The bill appears aimed at providing relief from continuing accrual of interest through a series of judgment renewals. While this might be intended to provide relief for personal and consumer debts, and thereby lessen the burden of long-term debt, this bill will have an immediate, collateral effect of limiting rights afforded to recipients of child support, spousal support, and other monetary awards under the Family Code. ACFLS opposes this bill unless it is amended to address its impact on family law litigants.

Pursuant to Family Code section 291, subdivisions (a) and (b), money judgments, including those for support, are enforceable until paid and not subject to renewal requirements like other civil money judgments. However, if renewal is desired, Family Code section 291, subdivision (c) provides as follows:

A judgment described in this section may be renewed pursuant to Article 2 (commencing with Section 683.110) of Chapter 3 of Division 1

of Title 9 of Part 2 of the Code of Civil Procedure. An application for renewal of a judgment described in this section, whether or not payable in installments, may be filed:

- (1) If the judgment has not previously been renewed as to past due amounts, at any time.
- (2) If the judgment has previously been renewed, the amount of the judgment as previously renewed and any past due amount that became due and payable after the previous renewal may be renewed at any time after a period of at least five years has elapsed from the time the judgment was previously renewed.

SB1200 would eliminate this available remedy for family law litigants. Also, SB1200 would lead to confusion and/or conflict in the law because Family Code section 291 cross-refers to the Code of Civil Procedure as providing a remedy that will no longer be available except as to judgments that are subject to a lien. For example, a child support, spousal support or attorney fee judgment that is not subject to a lien would not be subject to renewal under SB1200. Moreover, SB1200 removes all reference to installment judgments, which would include those for child and spousal. As the law currently exists, Family Code section 291 allows for a child or spousal support order to be renewed, which is beneficial to the support recipient. The ability to renew is an effective tool to ensure compliance with child and spousal support orders, and that tool would cease to exist if SB1200 passes as drafted. Support obligors with mounting child and/or spousal support arrears would benefit from SB1200.

Therefore, ACFLS opposes SB1200 unless it is amended to 1) ensure that the right to interest as to family law money judgments is not affected by SB1200, 2) ensure existing provisions of the law remain applicable to family law money judgments, and 3) ensure that the cross-referencing of statutes found in Family Code section 291 is accurate if renumbering of statutes occurs.

Respectfully submitted,



Justin M. O'Connell, Esq., CFLS
Legislative Director, ACFLS