

## New civil discovery code due to take effect

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SACRAMENTO — The massive California Civil Discovery Act — incorporating the most significant reforms in civil discovery procedures in three decades — was scheduled to take effect Wednesday.

Rubin Lopez, consultant to the Assembly Judiciary Committee, said Gov. George Deukmejian was expected to sign the amended bill, AB 361, by Assemblyman Elihu Harris, D-Oakland, at the beginning of the new fiscal year Wednesday.

Harris, chairman of the Judiciary Committee,

was also the author of companion bills AB 169 and AB 1334, which were passed by the Legislature and signed by the governor last year, to go into effect July 1, 1987.

The bills included the work of a joint commission appointed three years ago by the Judicial Council and the State Bar of California to review California's civil discovery procedures and recommend changes.

The act revises the Code of Civil Procedure and affects virtually all aspects of the discovery law.

"It strengthens the law of discovery to be sure

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it is utilized properly and to be sure sanctions are available if it is not used properly," Harris said Wednesday. The massive changes mark "the first time in 30 years" that discovery procedures have been altered in California, he said.

"It's a very important piece of legislation to many practicing attorneys," Lopez said. "I hope they will learn to like it."

The amendments correct oversights in the original bills, mainly in relation to work product and

protections for work in anticipation of litigation, he said.

The act "reorganizes, recodifies and reclassifies," Lopez said, placing limitations on "methods of discovery and the number of discovery requests."

"It's huge," said Jon Waldie, a Harris staff member. "It covers everything from depositions to interrogatories," limiting the number of interrogatories permitted.