

RECEIVED

DEC 30 2019

Emily Gargiulo, Initiative Coordinator  
 Attorney General's Office  
 P O Box 944255  
 Sacramento, CA 94244-2550

INITIATIVE COORDINATOR  
 ATTORNEY GENERAL'S OFFICE

**Proposed Title: Proposed Title:** Right to a Jury Trial for Child Dependency and Child Custody Determinations. Initiative Statute

**Proposed Summary:** Gives parties in child dependency and child custody court proceedings the right to demand that a jury, rather than a judge, determines if a parent is to lose legal rights to their child(ren). Provides that findings in child dependency and child custody court proceedings may be made by a jury, as a matter of right. Prohibits a judge from rejecting a jury's findings.

**Proposed:** Amend California Welfare and Institutions Code, Division 2, Part 1, Chapter 2, Article 9, §356 as follows "After hearing the evidence, the court, or the jury as a matter of right, shall make a finding if the minor is a person described by Section 300 and the specific subdivisions of Section 300 under which the petition is sustained. If it finds that the minor is not such a person, it shall order that the petition be dismissed and the minor be discharged from any detention or restriction previously ordered. If it finds that the minor is such a person, it shall make and enter its findings and the court shall make orders accordingly."

Amend the California Code of Civil Procedures §592 as follows: "In actions for the recovery of specific, real, or personal property, with or without damages, or for money claimed as due upon contract, or as damages for breach of contract, or for injuries, or for a party to retain legal rights to their child(ren), an issue of fact must be tried by a jury, unless a jury trial is waived, or a reference is ordered, as provided in this Code."

Amend California Family Code §3022 as follows: "This section shall be known as Luke's Law. The court may, during the pendency of a proceeding or any time thereafter, make an order for the custody of a child during minority that seems necessary or proper; or, as a matter of right, a party may demand a trial by jury. The court may not contravene a jury verdict on the appointment of joint legal custody."

I, declare under penalty of perjury that I am a citizen of the United States, 18 years of age or older, and a resident of San Luis Obispo County of California. Further, I, Wynnie Hethiga, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of this measure for the ballot.

Dated: December 18, 2019

Name: Wynnie Hethiga  
 630 Quintana Road #145  
 Morro Bay, CA 93442

Emily Gargiulo, Initiative Coordinator  
Attorney General's Office  
P O Box 944255  
Sacramento, CA 94244-2550

**Proposed Title:** ~~Proposed Title:~~ Right to a Jury Trial for Child Dependency and Child Custody Determinations. Initiative Statute

**Proposed Summary:** Gives parties in child dependency and child custody court proceedings the right to demand that a jury, rather than a judge, determines if a parent is to lose legal rights to their child(ren). Provides that findings in child dependency and child custody court proceedings may be made by a jury, as a matter of right. Prohibits a judge from rejecting a jury's findings.

**Proposed:** Amend California Welfare and Institutions Code, Division 2, Part 1, Chapter 2, Article 9, §356 as follows "After hearing the evidence, the court, or the jury as a matter of right, shall make a finding if the minor is a person described by Section 300 and the specific subdivisions of Section 300 under which the petition is sustained. If it finds that the minor is not such a person, it shall order that the petition be dismissed and the minor be discharged from any detention or restriction previously ordered. If it finds that the minor is such a person, it shall make and enter its findings and the court shall make orders accordingly."

Amend the California Code of Civil Procedures §592 as follows: "In actions for the recovery of specific, real, or personal property, with or without damages, or for money claimed as due upon contract, or as damages for breach of contract, or for injuries, or for a party to retain legal rights to their child(ren), an issue of fact must be tried by a jury, unless a jury trial is waived, or a reference is ordered, as provided in this Code."

Amend California Family Code §3022 as follows: "This section shall be known as Luke's Law. The court may, during the pendency of a proceeding or any time thereafter, make an order for the custody of a child during minority that seems necessary or proper; or, as a matter of right, a party may demand a trial by jury. The court may not contravene a jury verdict on the appointment of joint legal custody."

I, declare under penalty of perjury that I am a citizen of the United States, 18 years of age or older, and a resident of Sacramento County of California. Further, I, Stephen D. Kennoff, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purpose other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of this measure for the ballot.

Dated: December 17, 2019

  
Name:

630 Quintana Road #145  
Morro Bay, CA 93442