

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 515 (Pacheco)
Version: July 3, 2025
Hearing Date: July 15, 2025
Fiscal: Yes
Urgency: No
CK

SUBJECT

Trial: statement of decision

DIGEST

This bill modernizes and simplifies the processes governing the requesting and issuance of statements of decisions.

EXECUTIVE SUMMARY

Section 632 of the Code of Civil Procedure provides that if a timely request is made, the trial court is required to issue a statement of decision explaining the factual and legal basis for its decision as to each of the principal controverted issues at trial. The request must be made within 10 days after the court announces a tentative decision unless the trial is concluded within one calendar day or in less than eight hours over more than one day, in which event the request must be made prior to the submission of the matter for decision. The request for a statement of decision shall specify those controverted issues as to which the party is requesting a statement of decision. After a party has requested the statement, any party may make proposals as to the content of the statement of decision. Rule of Court 3.1590 implements this statute and details the appropriate process.

This bill simplifies the statute governing statements of decision, by, in part, incorporating parts of the existing Rule of Court, and generally provides more flexibility and clarity to courts.

No timely support or opposition has been received by the Committee.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Provides that, in the superior courts, upon the trial of a question of fact, written findings of fact and conclusions of law shall not be required, unless requested. (Code Civ. Proc. § 632.)
- 2) Requires a superior court to issue a statement of decision explaining the factual and legal basis for its decision upon the request of any party. Specifies that the request must be made within ten days after the court announces a tentative decision, unless the trial is concluded in one calendar day or in less than eight hours over multiple days, in which case the request must be made before the matter is submitted for decision. Requires this statement to be in writing, unless the parties agree otherwise, unless the trial concluded in one calendar day or in less than eight hours over multiple days, in which case the statement of decision may be made orally in the presence of the parties. (Code Civ. Proc. § 632.)
- 3) Requires the court clerk to enter the court's judgment in a trial by the court immediately upon the filing of the court's decision in the trial. (Code Civ. Proc. § 664.)
- 4) Establishes, pursuant to the Rules of Court, the steps and procedures for the court to issue tentative decisions; the time and manner by which a party may request from the court a statement of decision after the tentative decision; and the time and manner for a party to oppose or object to a statement of decision; and the preparation and filing of written judgment. (Cal. Rules of Court 3.1590.)

This bill:

- 1) Requires a request for a statement of decision in superior court trials, where the court is the trier of fact, to be made in writing, or orally if there is an official record of the proceeding being transcribed, before the matter is submitted for decision.
- 2) Requires the statement of decision to be served on all parties who appeared at trial.
- 3) Provides that the statement need not summarize all evidence admitted at trial.
- 4) Authorizes that court, if a statement of decision is not timely requested, to announce its ruling on all relief sought without a statement of decision. Alternatively, the court may, in its sole discretion, issue a statement of decision even though one has not been requested.

- 5) Authorizes a court to order a party to prepare a draft statement of decision within a specified time frame. The court is required to issue its statement of decision thereafter.
- 6) Permits a party to make objections to a statement of decision within 10 days after the statement of decision has been served by the court. If no objections are filed, the statement of decision becomes final upon the expiration of the time for filing objections. If objections are timely filed, the court may, but is not required to, set a hearing.
- 7) Provides that, if objections are ruled upon, the ruling shall be served on all parties who appeared at the trial. The statement of decision, including any amended statement of decision that the court may issue after sustaining any objection in whole or in part, shall become final upon issuance of the ruling, unless otherwise stated. If any objections filed are not ruled upon, unless the court orders otherwise, the objections are deemed overruled and the statement of decision becomes final on the later of the following dates:
 - a) 30 days after the time for objections has expired.
 - b) If there was a hearing on objections, 30 days after the hearing.
- 8) Permits the court to prepare and serve a proposed judgment or to order a party to prepare, lodge, and serve a proposed judgment, before or after the statement of decision is final. Any party may, within 10 days after service of the proposed judgment, serve and file objections thereto.
- 9) Permits the court, by written order, to extend any of the times prescribed hereby. Further, at any time before the entry of judgment, the court may, for good cause shown and on such terms as may be just, excuse noncompliance with the time limits prescribed for doing any act required hereby.
- 10) Provides that, in any action under the Family Code, the court may also, by written order and upon a finding of good cause, shorten any of the times prescribed hereby.
- 11) Requires the Judicial Council to adopt or amend all rules of court necessary to implement this section. The Judicial Council shall prepare a form that a party may use to request a statement of decision, as well as an accompanying information sheet that includes guidance on deadlines, when and how a statement of decision may be requested, and other requirements prescribed hereby.
- 12) Requires judgment to be entered by the clerk, in a bench trial, in conformity to the decision of the court, by the following dates:

- a) If no statement of decision is requested, within 30 days after the filing of the court's decision.
- b) If a statement of decision is requested, within 30 days after the statement of decision becomes final.

COMMENTS

1. Statement of decision

Upon the trial of a question of fact by the court, known as a “bench trial,” written findings of fact and conclusions of law are not required unless requested by a party appearing at trial. Thereafter, the court is required to issue a statement of decision explaining the factual and legal basis for its decision as to each of the principal controverted issues at trial. The required timing and process is arguably fairly byzantine. For instance, the request must be made within 10 days after the court announces a tentative decision unless the trial is concluded within one calendar day or in less than eight hours over more than one day, in which event the request must be made prior to the submission of the matter for decision. Judgment must be entered by the clerk in a bench trial, in conformity to the decision of the court, immediately upon the filing of such decision. Rule of Court 3.1590 outlines the attendant procedures in requesting and issuing a statement of decision.

As one California Court of Appeal has stated: “The statement of decision provides a reviewing court with the trial court's reasoning on disputed issues and is our touchstone to determine whether or not the trial court's decision is supported by the facts and the law.”¹

2. Simplifying the process

A recent article highlights both the importance of a statement of decision and the need for simplification:

Because the failure to issue a Statement of Decision, and the issuance of a defective one, can both lead to reversal, it is incumbent on the prevailing party – not just the losing party – to participate in proposing, drafting and objecting, so that the document is complete and adequately sets forth all of the trial court's ultimate factual findings and conclusions of law.

A Statement of Decision serves to pinpoint flaws in the trial court's tentative decision and can assist counsel in drafting and opposing a Motion for New Trial. At bottom, however, a Statement of Decision is an appellate document. It is the trial court's report to the Court of Appeal of

¹ *Alafi v. Cohen* (2024) 106 Cal. App. 5th 46, 61.

the reasons for the judgment. It is the roadmap by which the reviewing court finds its way from the pleadings to the evidence to the judgment.

...

Notwithstanding its fundamental importance, however, the procedures for perfecting a Statement of Appeal are byzantine. A first, second or third reading of sections 632 and 634 of the Code of Civil Procedure, and Rule of Court 3.1590 – which govern those procedures – lead only to eyestrain.²

This bill updates those code sections, incorporating many of the steps outlined in Rule 3.1590, to streamline and simplify the process. This includes clearly outlining the timeline for requesting a statement of decision and filing objections to it and providing more flexibility in when judgment must be entered. For Family Code matters, the court is authorized to shorten any of these timelines. Judicial Council is ordered to adopt and amend all rules necessary.

According to the author:

Assembly Bill 515 simplifies California's statement of decision process by providing clear procedures and timeframes. The bill establishes consistent rules for when and how parties may request a trial court's statement of decision. These clear, consistent procedures will reduce errors by both attorneys and trial courts, resulting in fewer appellate issues and more efficient resolution of appeals.

SUPPORT

None known

OPPOSITION

None known

RELATED LEGISLATION

Pending Legislation: None known.

Prior Legislation: None known.

PRIOR VOTES:

Assembly Floor (Ayes 76, Noes 0)

Assembly Appropriations Committee (Ayes 15, Noes 0)

Assembly Judiciary Committee (Ayes 12, Noes 0)

² Herb Fox, *The Statement of Decision* (December 2014) Advocate Magazine, <https://www.advocatemagazine.com/article/2014-december/the-statement-of-decision> [as of July 5, 2025].