

House Judiciary Committee Meeting
Thursday, January 17, 1963

The House Judiciary Committee met in joint session with the Senate Judiciary Committee in Room 529 at 11:05 A.M. with Chairmen Clyde Hill, House Judiciary Committee, and Glee S. Smith, Senate Judiciary Committee, presiding. Ten members of the House Judiciary Committee were present. Members Arthur, Davis, Euler, Fatzer, Griffith, Malone, Smith, Tillotson, Van Cleave and Williams were absent.

In addition to Judge Spencer A. Gard, Emmett Blaes and Earl Hatcher, Leonard O. Thomas, also a member of the drafting committee, was present to help the committees with the bill for revision of the Code of Civil Procedure now being considered by both committees.

Emmett Blaes explained a recommendation in regard to absentee estates.

Senator Smith thanked him and asked for any further comments. There being none, the floor was then open to questions.

Senator Ball made an inquiry concerning discovery procedure. His question was answered and commented upon by Leonard Thomas, Emmett Blaes, Senator Smith and Judge Gard.

Senator Farmer asked a question concerning depositions. This brought about an explanation by Judge Gard, further question from Senator Rowe and comments from Representative Crossan.

Representative Liebert questioned the possibility of the passage of this bill leaving out certain sections. Senator Smith explained that this could be done as long as it was a section which wouldn't affect the bill as a whole. Mr. Edwards also commented upon depositions.

Senator Ball made an inquiry concerning the consolidation of actions. This was discussed and answered by Emmett Blaes and Judge Gard.

Representative Skoog questioned the service and filing of pleadings and other papers. He was answered by Judge Gard and Emmett Blaes.

A question was raised by Senator Lamb in regard to opening default judgment rendered on service by publication. He was answered by Judge Gard.

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Senator Harper inquired as to the manner in which this bill would be considered by the committees. Senator Smith stated that they would take up policy matters as a whole and discuss any questions. He left this method open to the suggestions of the members. Committee members are to come prepared to ask any questions next week.

Senator Ball thanked the members of the drafting committee for giving so generously of their time and efforts.

The meeting was adjourned to meet at 11:00 A.M. January 21, 1963, in Room 529.

Respectfully submitted,
Clyde Hill, Chairman

Minutes approved: