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**AB-2723 Civil actions: entry of judgment: written stipulation.** (2019-2020)

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**Assembly Bill No. 2723**

**CHAPTER 290**

An act to amend Section 664.6 of the Code of Civil Procedure, relating to civil actions.

[ Approved by Governor September 29, 2020. Filed with Secretary of State September 29, 2020. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 2723, Chiu. Civil actions: entry of judgment: written stipulation.

Existing law authorizes a court, upon motion, to enter a judgment in pending litigation pursuant to the terms of a settlement if the parties to the litigation stipulate to settle the litigation outside of the presence of the court in a writing that is signed by the parties.

This bill would provide that the writing may also be signed by an attorney who represents a party, or, if a party is an insurer, an agent who is authorized in writing by the insurer to sign on the insurer's behalf, except as specified. The bill would provide that an attorney who signs the writing on behalf of a party without express authorization to do so shall, absent good cause, be subject to professional discipline.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 664.6 of the Code of Civil Procedure is amended to read:

**664.6.** (a) If parties to pending litigation stipulate, in a writing signed by the parties outside of the presence of the court or orally before the court, for settlement of the case, or part thereof, the court, upon motion, may enter judgment pursuant to the terms of the settlement. If requested by the parties, the court may retain jurisdiction over the parties to enforce the settlement until performance in full of the terms of the settlement.

(b) For purposes of this section, a writing is signed by a party if it is signed by any of the following:

- (1) The party.
- (2) An attorney who represents the party.
- (3) If the party is an insurer, an agent who is authorized in writing by the insurer to sign on the insurer's behalf.

(c) Paragraphs (2) and (3) of subdivision (b) do not apply in a civil harassment action, an action brought pursuant to the Family Code, an action brought pursuant to the Probate Code, or a matter that is being adjudicated in a juvenile court or a dependency court.

(d) In addition to any available civil remedies, an attorney who signs a writing on behalf of a party pursuant to subdivision (b) without the party's express authorization shall, absent good cause, be subject to professional discipline.