

AMENDMENTS TO THE CALIFORNIA RULES OF COURT  
Adopted by the Judicial Council on January 12, 2018, effective February 1, 2018

1	Rule 10.31. Advisory committee membership and terms.....	2
2	Rule 10.42. Criminal Law Advisory Committee.....	3
3	Rule 10.43. Family and Juvenile Law Advisory Committee.....	4
4	Rule 10.44. Probate and Mental Health Advisory Committee .....	5
5	Rule 10.60. Tribal Court–State Court Forum .....	6
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1 **Rule 10.31. Advisory committee membership and terms**

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3 (a) \* \* \*

4  
5 (b) **Terms**

6  
7 The Chief Justice appoints advisory committee members to three-year terms unless  
8 another term is specified in these rules or in the order appointing a member. Terms  
9 are staggered so that an approximately equal number of each committee's members  
10 changes annually. Members may apply for reappointment but there is no  
11 presumption of reappointment. All appointments and reappointments are at the sole  
12 discretion of the Chief Justice. ~~The Chief Justice also may appoint judicial officers~~  
13 ~~who have served less than two years on the bench to one-year terms.~~

14  
15 *(Subd (b) amended effective February 1, 2018; previously amended effective November 1,*  
16 *2004, and January 1, 2007.)*

17  
18 (c) **Chair and vice-chair**

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20 The Chief Justice appoints an advisory committee member to be a committee chair  
21 or vice-chair for a one-year term except for the chair and vice-chair of the Court  
22 Executives Advisory Committee, who may be appointed to two-year terms. Except  
23 for the Court Executives Advisory Committee, when a member's term as the chair  
24 of an advisory committee ends, that member's term on the committee also ends,  
25 unless the Chief Justice orders otherwise.

26  
27 *(Subd (c) amended effective February 1, 2018; previously amended effective September 1,*  
28 *2000, January 1, 2004, and January 1, 2007.)*

29  
30 (d) **Advisory members**

31  
32 On the request of the advisory committee, the Chief Justice may designate an  
33 advisory member to assist an advisory committee or a subcommittee. Advisory  
34 members are appointed for three-year terms unless another term is specified in the  
35 order appointing the advisory member. Advisory members may participate in  
36 discussions and make or second motions but cannot vote.

37  
38 *(Subd (d) amended effective February 1, 2018; previously amended effective January 1,*  
39 *2007.)*

40  
41 (e) **Termination of membership**

42

1 Committee membership terminates if a member leaves the position that qualified  
2 the member for the advisory committee unless (g) applies or the Chief Justice  
3 determines that the individual may complete the current term.

4  
5 *(Subd (e) amended effective February 1, 2018.)*

6  
7 **(f)** \* \* \*

8  
9 **(g) Retired judges**

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11 A judge's retirement does not cause a vacancy on the committee if the judge is  
12 eligible for assignment. A retired judge who is eligible for assignment may hold a  
13 committee position based on his or her last judicial position.

14  
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16  
17 *Rule 10.31 amended effective February 1, 2018; adopted as rule 6.31 effective January 1, 1999;*  
18 *previously amended and renumbered as rule 10.31 effective January 1, 2007; previously*  
19 *amended effective September 1, 2000, September 1, 2003, January 1, 2004, and November 1,*  
20 *2004.*

21  
22 **Rule 10.42. Criminal Law Advisory Committee**

23  
24 **(a)** \* \* \*

25  
26 **(b) Membership**

27  
28 The committee must include at least one member from each of the following  
29 categories:

30  
31 (1) Appellate court justice;

32  
33 (2) Trial court judicial officer;

34  
35 (3) Judicial administrator;

36  
37 (4) Prosecutor;

38  
39 (5) Criminal defense lawyer; ~~and~~

40  
41 (6) Probation officer; and

42  
43 (7) Mental health professional with experience in criminal law issues.

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*(Subd (b) amended effective February 1, 2018; previously amended effective January 1, 2011.)*

*Rule 10.42 amended effective February 1, 2018; adopted as rule 6.42 effective January 1, 1999; previously amended and renumbered as rule 10.42 effective January 1, 2007; previously amended effective January 1, 2011.*

**Rule 10.43. Family and Juvenile Law Advisory Committee**

**(a)** \* \* \*

**(b) Membership**

The committee must include at least one member from each of the following categories:

- (1) Appellate court justice;
- (2) Trial court judicial officer;
- (3) Judicial administrator;
- (4) Child custody mediator;
- (5) Lawyer whose primary practice area is family law;
- (6) Lawyer from a public or private defender’s office whose primary practice area is juvenile law;
- (7) Chief probation officer;
- (8) Child welfare director;
- (9) Court Appointed Special Advocate (CASA) director;
- (10) County counsel assigned to juvenile dependency cases;
- (11) Domestic violence prevention advocate;
- (12) District attorney assigned to juvenile delinquency cases;

1 (13) Lawyer from the California Department of Child Support Services or a local  
2 child support agency; ~~and~~

3  
4 (14) Public-interest children’s rights lawyer; and

5  
6 (15) Mental health professional with experience with family and children’s issues.

7  
8 *(Subd (b) amended effective February 1, 2018; previously amended effective July 1, 2005,*  
9 *and January 1, 2007.)*

10  
11 *Rule 10.43 amended effective February 1, 2018; adopted as rule 6.43 effective January 1, 1999;*  
12 *previously amended and renumbered as rule 10.43 effective January 1, 2007; previously*  
13 *amended effective July 1, 2005.*

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15  
16 **Rule 10.44. Probate and Mental Health Advisory Committee**

17  
18 **(a)–(b) \* \* \***

19  
20 **(c) Membership**

21  
22 The committee must include at least one member from each of the following  
23 categories:

24  
25 (1) Judicial officer with experience in probate;

26  
27 (2) Lawyer whose primary practice involves decedents’ estates, trusts,  
28 guardianships, conservatorships, or elder abuse law;

29  
30 (3) Lawyer or examiner who works for the court on probate or mental health  
31 matters;

32  
33 (4) Lawyer working for a public interest organization or a court self-help center  
34 whose practice focuses on guardianships or conservatorships;

35  
36 ~~(4)~~(5) Investigator who works for the court to investigate probate guardianships or  
37 conservatorships;

38  
39 ~~(5)~~(6) Person knowledgeable in mental health or developmental disability law;

40  
41 ~~(6)~~(7) Person knowledgeable in private management of probate matters in a  
42 fiduciary capacity; and

43

1 (7)(8) County counsel, public guardian, or other similar public officer familiar with  
2 guardianship and conservatorship issues.

3  
4 *(Subd (c) amended effective February 1, 2018; previously amended effective January 1,*  
5 *2007, and January 1, 2008.)*

6  
7 *Rule 10.44 amended effective February 1, 2018; adopted as rule 6.44 effective July 1, 2000;*  
8 *previously amended and renumbered as rule 10.44 effective January 1, 2007; previously*  
9 *amended effective January 1, 2008.*

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11  
12 **Rule 10.60. Tribal Court–State Court Forum**

13  
14 **(a)–(b) \* \* \***

15  
16 **(c) Membership**

17  
18 The forum must include the following members:

- 19  
20 (1) Tribal court judges or justices selected by tribes in California, as described in  
21 (d), but no more than one tribal court judge or justice from each tribe;  
22  
23 (2) At least three trial court judges from counties in which a tribal court is  
24 located;  
25  
26 (3) At least one appellate justice of the California Courts of Appeal;  
27  
28 (4) At least one member from each of the following committees: the Access and  
29 Fairness Advisory Committee, Civil and Small Claims Advisory Committee,  
30 Criminal Law Advisory Committee, Family and Juvenile Law Advisory  
31 Committee, Governing Committee of the Center for Judicial Education and  
32 Research, Probate and Mental Health Advisory Committee, and Traffic  
33 Advisory Committee; and  
34  
35 (5) ~~As ex officio members, the Director of the California Attorney General’s~~  
36 ~~Office of Native American Affairs and the Governor’s Tribal Advisor. At~~  
37 ~~least one, but no more than three, California executive branch officials~~  
38 ~~responsible for tribal-related work.~~

39  
40 The composition of the forum must have an equal or a close-to-equal number of  
41 judges or justices from tribal courts and state courts.

42  
43 *(Subd (c) amended effective February 1, 2018.)*

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**(d)–(e) \* \* \***

*Rule 10.60 amended effective February 1, 2018; adopted effective October 25, 2013.*