

AMENDMENT TO THE CALIFORNIA RULES OF COURT
 Adopted by the Judicial Council on April 24, 2026, effective July 1, 2026, to read:

1		
2	Rule 2.571. Procedures for filing records under seal in a False Claims Act case	3
3	Rule 2.575. Confidential information in name change proceedings under address	
4	confidentiality program.....	3
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6		

1 **Rule 2.571. Procedures for filing records under seal in a False Claims Act case**

2
3 **(a)–(b) * * ***

4
5 **(c) Special cover sheet omitting names of the parties**

6
7 In a False Claims Act case, the complaint and every other paper filed while the case
8 is under seal must have a completed *Confidential Cover Sheet—False Claims*
9 *Action* (form ~~MC-060~~ CM-011) affixed to the first page.

10
11 *(Subd (c) amended effective July 1, 2026; previously amended effective January 1, 2007.)*

12
13 **(d)–(e) * * ***

14
15 *Rule 2.571 amended effective July 1, 2026; previously amended and renumbered effective*
16 *January 1, 2007; adopted as rule 243.6 effective July 1, 2002.*

17
18 **Rule 2.575. Confidential information in name change proceedings under address**
19 **confidentiality program**

20
21 **(a) * * ***

22
23 **(b) Application of chapter**

24
25 The rules in this chapter apply to records filed in a change of name proceeding
26 ~~under Code of Civil Procedure section 1277(b)~~ by a confidential name change
27 petitioner who alleges any of the following reasons or circumstances listed in Code
28 of Civil Procedure section 1277(b) as a reason for the name change:₂

29
30 ~~(1) The petitioner is seeking to avoid domestic violence, as defined in Family~~
31 ~~Code section 6211.~~

32
33 ~~(2) The petitioner is seeking to avoid stalking, as defined in Penal Code section~~
34 ~~646.9.~~

35
36 ~~(3) The petitioner is, or is filing on behalf of, a victim of sexual assault, as~~
37 ~~defined in Evidence Code section 1036.2.~~

38
39 *(Subd (b) amended effective July 1, 2026.)*

40 **(c)–(e) * * ***

41
42 *Rule 2.575 amended effective July 1, 2026; adopted January 1, 2010.*

43

1 **Rule 2.577. Procedures for filing confidential name change records under seal**

2
3 **(a) Court approval required**

4
5 *(Subd (a) amended effective July 1, 2026.)*

6
7 Records in a name change proceeding brought by a confidential name change
8 petitioner may not be filed under seal without a court order. A request by a
9 confidential name change petitioner to file records under seal may be made under
10 the procedures in this chapter. ~~A request by any other petitioner to file records~~
11 ~~under seal must be made under rules 2.550–2.573.~~

12
13 **(b)–(h) * * ***

14
15 *Rule 2.577 amended effective July 1, 2026; adopted effective January 1, 2010; previously*
16 *amended effective January 1, 2016; and January 1, 2017.*

17
18 *Title 2, Trial Court Rules-Division 4, Court Records-Chapter 6, Other Sealed or Closed Records;*
19 *renumbered effective January 1, 2010; adopted as Chapter 5 effective January 1, 2007.*

20
21 **Advisory Committee Comment**

22
23 This rule is not intended to abrogate or limit any duty of the court to keep court records
24 confidential (for example, court records, including the index, register of actions, and any other
25 case information available through court systems used to provide the public with electronic
26 access to court records, associated with a proceeding for a change of name or gender and sex
27 identifier, or both, under Health and Safety Code section 103437).

28
29 **Subdivision (a).** This subdivision describes procedures for filing records under seal in a name
30 change proceeding brought by a confidential name change petitioner (a participant in the Safe at
31 Home address confidentiality program). (See rule 2.575(a)(1).)

32
33 **Rule 2.1002. Length of juror service**

34
35 **(a) * * ***

36
37 **(b) Definitions**

38
39 As used in this rule:

40
41 **(1)–(4) * * ***

42

1 (5) ~~“Telephone standby”~~ “Standby” means all previous-day notice procedures
2 used to inform prospective jurors of their date to report for service.

3
4 *(Subd (b) amended effective July 1, 2026; previously amended effective January 1, 2007.)*

5
6 **(c) One-day/one-trial**

7
8 Each trial court system must implement a juror management program under which
9 a ~~person has fulfilled his or her~~ person’s jury service obligation is fulfilled when
10 the person has:

11
12 (1)–(4) * * *

13
14 (5) Served ~~no more than five court days on telephone standby.~~ on standby for no
15 more than five court days.

16
17 *(Subd (c) amended effective July 1, 2026; previously amended effective January 1, 2007.)*

18
19 **(d) * * ***

20
21 *Rule 2.1002 amended effective July 1, 2026; adopted as rule 861 effective July 1, 1999;*
22 *previously amended and renumbered effective January 1, 2007.*

23
24 **Rule 2.1006. Deferral of jury service**

25
26 A ~~mother~~ prospective juror who is breastfeeding a child may request that jury
27 service be deferred for up to one year, and may renew that request as long as ~~she~~
28 the prospective juror is breastfeeding. If the request is made in writing, under
29 penalty of perjury, the jury commissioner must grant it without requiring the
30 prospective juror to appear at court.

31
32 *Rule 2.1006 amended effective July 1, 2026; adopted as rule 859 effective July 1, 2001;*
33 *renumbered effective January 1, 2007*

34
35 **Rule 2.1008. Excuses from jury service**

36
37 **(a)–(c) * * ***

38
39 **(d) Reasons for excusing a juror because of undue hardship**

40
41 An excuse on the ground of undue hardship may be granted for any of the
42 following reasons:

43
44 (1)–(2) * * *

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(3) The prospective juror will bear an extreme financial burden. In determining whether to excuse the prospective juror for this reason, consideration must be given to:

(A)–(C) * * *

(D) Whether service can reasonably be expected to compromise the prospective juror’s ability to support ~~himself or herself or his or her~~ the prospective juror or any dependents, or so disrupt the economic stability of any individual as to be against the interests of justice.

(4)–(7) * * *

(Subd (d) amended effective July 1, 2026; previously amended effective January 1, 2007.)

(e) Excuse based on previous jury service

A prospective juror who has served on a grand or trial jury or was summoned and appeared for jury service in any state or federal court during the previous 12 months must be excused from service on request. The jury commissioner, ~~in his or her discretion, may~~ has discretion to establish a longer period of repose.

(Subd (e) amended effective July 1, 2026; previously amended effective January 1, 2007.)

Rule 2.1008 amended effective July 1, 2026; adopted as rule 860 effective July 1, 1997; previously amended and renumbered effective January 1, 2007.

Rule 2.1010. Juror motion to set aside sanctions imposed by default

(a)–(b) * * *

(c) Judicial Council form may be used

A motion to set aside sanctions imposed by default may be made by completing and filing *Juror’s Motion to Set Aside Sanctions and Order* (form ~~MC-070~~ JURY-010).

(Subd (c) amended effective July 1, 2026; previously amended effective January 1, 2007.)

(d)–(g) * * *

Rule 2.1010 amended effective July 1, 2026; adopted as rule 862 effective January 1, 2005; previously amended effective January 1, 2007, and January 1, 2010.

1
2 **Rule 4.551. Habeas corpus proceedings**

3
4 **(a) Petition; form and court ruling**

5
6 * * *

7
8 **(b) Informal response**

9
10 (1) Before passing on the petition, the court may request an informal response
11 from:

12
13 (A) The respondent or real party in interest; or

14
15 (B) The custodian of any record pertaining to the petitioner's case,
16 directing the custodian to produce the record or a certified copy to be
17 filed with the clerk of the court.

18
19 (2) A copy of the request must be sent to the petitioner or, if represented,
20 petitioner's counsel.

21
22 (3) The informal response, if any, must be served on the petitioner by the party
23 of whom the request is made. The informal response must be in writing and
24 must be served and filed within 15 days. If the petitioner is not represented by
25 counsel in the habeas corpus proceeding, the informal response must be
26 served on the petitioner. If the petitioner is represented by counsel in the
27 habeas corpus proceeding, the informal response must be served on the
28 petitioner's counsel. If any informal response is filed, the court must notify
29 the petitioner that he or she may a reply to the informal response may be filed
30 within 15 days from the date of service of the response on the petitioner or
31 counsel. If the informal response consists of records or copies of records, a
32 copy of every record and document furnished to the court must be furnished
33 to the petitioner or counsel.

34
35 (34) After receiving an informal response, the court may not deny the petition
36 until the petitioner has filed a timely reply to the informal response or the 15-
37 day period provided for a reply under (b)(2) has expired.

38
39 *(Subd (b) amended effective July 1, 2026; adopted effective January 1, 2002; previously*
40 *amended effective January 1, 2007.)*

41
42 **(c) Order to show cause**

43

1 (1) Except as provided in (2), the court must issue an order to show cause if the
2 petitioner has made a prima facie showing that the petitioner is entitled to
3 relief. In doing so, the court takes petitioner’s factual allegations as true and
4 makes a preliminary assessment regarding whether the petitioner would be
5 entitled to relief if the petitioner’s factual allegations were proved. If so, the
6 court must issue an order to show cause.

7
8 (2) When a petition raises a claim under Penal Code section 745(a), the court
9 must issue an order to show cause if the petitioner has made a prima facie
10 showing, which means that the petitioner has produced facts that, if true,
11 establish that there is a substantial likelihood that a violation of section
12 745(a) has occurred. A prima facie determination must be based on the
13 petitioner’s showing and the record.

14
15 (3) An order to show cause is a determination that the petitioner has made a
16 showing that they may be entitled to relief. It does not grant the relief sought
17 in the petition.

18
19 *(Subd (c) amended effective July 1, 2026; adopted effective January 1, 2002.; previously*
20 *amended effective January 1, 2007; and September 1, 2024.)*

21
22 **(d) Appointment of counsel**

23
24 (1) ~~On issuing an order to show cause, the court must appoint counsel for any~~
25 ~~unrepresented petitioner who desires but cannot afford counsel.~~

26
27 ~~(2) When a petition raises a claim under Penal Code section 745(a) and requests~~
28 ~~appointment of counsel, the court must appoint counsel if the petitioner~~
29 ~~cannot afford counsel and either: the petition alleges facts that would~~
30 ~~establish a violation of section 745(a) or~~

31
32 ~~(A) †The State Public Defender requests that counsel be appointed; or~~
33 ~~Newly appointed counsel may amend a petition filed before their~~
34 ~~appointment.~~

35
36 ~~(B) The petition pleads a plausible allegation of a violation of section~~
37 ~~745(a). This inquiry is limited to the facial sufficiency of the~~
38 ~~allegations of the petition alone.~~

39
40 (2) Newly appointed counsel may amend a petition filed before their
41 appointment.

42
43 (3) On issuing an order to show cause, the court must appoint counsel for any
44 unrepresented petitioner who desires but cannot afford counsel.

1
2 (Subd (d) amended effective July 1, 2026; adopted effective September 1, 2024.)
3

4 **(e)–(i)** * * *

5
6 *Rule 4.551 amended effective July 1, 2026; adopted as rule 260 effective January 1, 1982;*
7 *previously renumbered as rule 4.500 effective January 1, 2001; previously amended and*
8 *renumbered effective January 1, 2002; previously amended effective January 1, 2004, January 1,*
9 *2007, January 1, 2009, January 22, 2019, and September 1, 2024.*

10
11 **Advisory Committee Comment**
12

13 Except for claims raising a violation of Penal Code section 745(a) that are addressed in
14 subdivision (d)(1), the court must appoint counsel on the issuance of an order to show cause. (*In*
15 *re Clark* (1993) 5 Cal.4th 750, 780 and *People v. Shipman* (1965) 62 Cal.2d 226, 231–232.) The
16 Court of Appeal has held that under Penal Code section 987.2, counties bear the expense of
17 appointed counsel in a habeas corpus proceeding challenging the underlying conviction.
18 (*Charlton v. Superior Court* (1979) 93 Cal.App.3d 858, 862.) Penal Code section 987.2
19 authorizes appointment of the public defender, or private counsel if there is no public defender
20 available, for indigents in criminal proceedings.

21
22 ~~The issue of whether the prima facie showing for a petition for writ of habeas corpus under~~
23 ~~section 1473(e) is the same as in section 745(h)(2) or defined in subdivision (e)(1) of this rule~~
24 ~~(see *In re Marquez* (2007) 153 Cal.App.4th 1, 11) is unresolved.~~
25

26 **Subdivision (a)(4) and (7).** * * *

27
28 **Subdivision (b).** As in other cases, when considering a petition raising a claim under Penal Code
29 section 745(a), the court may request an informal response from the state. In addition, for claims
30 under Penal Code section 745(a), the court should consider simultaneously appointing counsel for
31 an unrepresented petitioner under the standards of section 1473(e)(5).

32
33 **Subdivision (d).** The standard set out in paragraph (1)(B) is to be construed as a minimal
34 pleading requirement consistent with the Legislature’s statement of intent in Assembly Bill 1071
35 (Stats. 2025, ch. 721).

36
37
38 **Rule 5.605. Emancipation of minors**

39
40 **(a) Petition**

41
42 A petition for declaration of emancipation of a minor must be submitted on *Petition*
43 *for Declaration of Emancipation of Minor, Order Prescribing Notice, Declaration*

1 of Emancipation, and Order Denying Petition (form ~~MC-300~~ EM-100). Only the
2 minor may petition the court for emancipation, and the petition may be filed in the
3 county in which the minor can provide a verifiable residence address. The
4 petitioner must complete and attach to the petition *Emancipation of Minor—Income*
5 *and Expense Declaration* (form ~~MC-306~~ EM-115).

6
7 *(Subd (a) amended effective July 1, 2026; previously amended effective January 1, 2007.)*
8

9 **(b)–(g) * * ***

10
11 *Rule 5.605 amended effective July 1, 2026; adopted as rule 1437 effective July 1, 1994;*
12 *previously amended effective January 1, 199; previously amended and renumbered effective*
13 *January 1, 2007*
14

15 **Rule 5.710. Six-month review hearing**

16
17 **(a) Determinations and conduct of hearing (§§ 364, 366, 366.1, 366.21)**

18
19 At the hearing, the court and all parties must comply with all relevant requirements
20 and procedures in rule 5.708, General review hearing requirements. The court must
21 make all appropriate findings and orders specified in rule 5.708 and proceed under
22 section 366.21(e) and (g), and as follows:
23

24 **(1) *Order return of the child or find that return would be detrimental***

25
26 If the child is returned, the court may order the termination of dependency
27 jurisdiction or order continued dependency services and set a review hearing
28 within 6 months.
29

30 **(2) *Place with noncustodial parent***

31
32 If the court has previously placed or at this hearing places the child with a
33 noncustodial parent, the court must follow the procedures in rule ~~5.708(g)~~
34 5.708(h) and section 361.2.
35

36 **(3)–(4) * * ***

37
38 *Subd (a) amended effective July 1, 2026; repealed and adopted as subd (d); relettered as*
39 *subd (e) effective January 1, 1992; previously amended effective January 1, 1999, July 1,*
40 *1999, January 1, 2001, July 1, 2002, January 1, 2004, January 1, 2005, January 1, 2007,*
41 *and January 1, 2018; previously amended and relettered as subd (b) effective January 1,*
42 *2010, and as subd (a) effective January 1, 2017.)*
43

1 (b) * * *

2
3 *Rule 5.710 amended effective July 1, 2026; adopted as rule 1460 effective January 1, 1990;*
4 *previously amended and renumbered effective January 1, 2007; previously amended effective*
5 *January 1, 1992, January 1, 1993, January 1, 1995, July 1, 1995, July 1, 1997, January 1, 1999,*
6 *July 1, 1999, January 1, 2000, January 1, 2001, July 1, 2002, January 1, 2004, January 1, 2005,*
7 *January 1, 2006, January 1, 2010, January 1, 2011, January 1, 2014, January 1, 2015, January*
8 *1, 2017, and January 1, 2018.*

9
10 **Rule 5.715. Twelve-month permanency hearing**

11
12 (a) * * *

13
14 (b) **Determinations and conduct of hearing (§§ 309(e), 361.5, 366, 366.1, 366.21)**

15
16 At the hearing, the court and all parties must comply with all relevant requirements
17 and procedures in rule 5.708, General review hearing requirements. The court must
18 make all appropriate findings and orders specified in rule 5.708 and proceed under
19 section 366.21(f) and (g), and as follows:

20
21 (1) The requirements in rule ~~5.708(e)~~ 5.708(c) must be followed in entering a
22 reasonable services finding.

23
24 (2) If the court has previously placed or at this hearing places the child with a
25 noncustodial parent, the court must follow the procedures in rule ~~5.708(g)~~
26 5.708(h) and section 361.2.

27
28 (3)–(5) * * *

29
30 *(Subd (b) amended effective July 1, 2026; repealed and adopted as subd (c)(2); previously*
31 *amended and relettered as subd (c) effective July 1, 1999, as subd (d) effective January 1,*
32 *2002, as subd (c) effective January 1, 2001, and as subd (b) effective January 1, 2010;*
33 *previously amended effective January 1, 1992, January 1, 1993, January 1, 1995, July 1,*
34 *1995, July 1, 1997, January 1, 1999, January 1, 2004, January 1, 2005, January 1, 2007,*
35 *July 1, 2010, January 1, 2014, January 1, 2017, and January 1, 2018.)*

36
37 *Rule 5.715 amended effective July 1, 2026; adopted as rule 1461 effective January 1, 1990;*
38 *previously amended and renumbered effective January 1, 2007; previously amended effective*
39 *January 1, 1992, January 1, 1993, January 1, 1994, January 1, 1995, July 1, 1995, July 1, 1997,*
40 *January 1, 1999, July 1, 1999, January 1, 2000, January 1, 2001, January 1, 2004, January 1,*
41 *2005, January 1, 2006, January 1, 2010, July 1, 2010, January 1, 2014, January 1, 2017, and*
42 *January 1, 2018.*

43

1 **Rule 5.720. Eighteen-month permanency review hearing**

2
3 **(a) Determinations and conduct of hearing (§§ 309(e), 361.5, 366.22)**

4
5 At the hearing the court and all parties must comply with all relevant requirements
6 and procedures in rule 5.708, General review hearing requirements. The court must
7 make all appropriate findings and orders specified in rule 5.708, and proceed under
8 section 366.22 and as follows:

9
10 (1) If the court has previously placed or at this hearing places the child with a
11 noncustodial parent, the court must follow the procedures in rule ~~5.708(g)~~
12 5.708(h) and section 361.2.

13
14 (2)–(4) * * *

15
16 *(Subd (a) amended effective July 1, 2026; repealed and adopted as subd (b); previously*
17 *amended and relettered as subd (c) effective January 1, 2005, and as subd (b) effective*
18 *January 1, 2010, and as subd (a) effective January 1, 2017; previously amended effective*
19 *July 1, 1991, January 1, 1992, January 1, 1993, January 1, 1995, July 1, 1995, January 1,*
20 *1999, July 1, 1999, January 1, 2006, July 1, 2006, January 1, 2007, July 1, 2007, July 1,*
21 *2010, January 1, 2014, and January 1, 2015.)*

22
23 *Rule 5.720 amended effective July 1, 2026; repealed and adopted as rule 1462 effective January*
24 *1, 1990; previously amended and renumbered effective January 1, 2007; previously amended*
25 *effective July 1, 1991, January 1, 1992, January 1, 1993, January 1, 1994, January 1, 1995, July*
26 *1, 1995, July 1, 1997, January 1, 1999, July 1, 1999, January 1, 2001, January 1, 2005, January*
27 *1, 2006, July 1, 2006, July 1, 2007, January 1, 2010, July 1, 2010, January 1, 2014, January 1,*
28 *2015, and January 1, 2017.*

29
30 **Rule 5.812. Additional requirements for any hearing to terminate jurisdiction over**
31 **child in foster care and for status review or dispositional hearing for child**
32 **approaching majority (§§ 450, 451, 727.2(i)–(j), 778)**

33
34 **(a)–(c) * * ***

35
36 **(d) Findings**

37
38 (1) * * *

39
40 (2) At the review hearing held on behalf of a child approaching majority
41 described in (a)(1) and any hearing under (a)(2) or (a)(3) held on behalf of a
42 child more than 17 years, 5 months old and less than 18 years of age, in
43 addition to complying with all other statutory and rule requirements

1 applicable to the hearing, the court must make the following findings in the
2 written documentation of the hearing:

3
4 (A)–(H) * * *

5
6 (I) Whether all the information, documents, and services in ~~sections 391(e)~~
7 section 391(h) were provided to the child, and whether the barriers to
8 providing any missing information, documents, or services can be
9 overcome by the date the child attains 18 years of age; and

10
11 (J) * * *

12
13 *(Subd (d) amended effective July 1, 2026; previously amended effective July 1, 2012,*
14 *January 1, 2014, and January 1, 2019.)*

15
16 (e)–(f) * * *

17
18 *Rule 5.812 amended effective July 1, 2026; adopted effective January 1, 2012; previously*
19 *amended effective July 1, 2012, January 1, 2014, January 1, 2016, and January 1, 2019.*

20
21 **Title 7. Probate Rules and Mental Health Rules**

22
23 **Division 2. Mental Health Rules**

24
25 **Chapter 2. CARE Act Rules**

26
27 **Article 2. ~~Commencement~~ Beginning of Proceedings**

28
29
30 **Rule 7.2221. Papers to be filed (§§ 5975, 5978)**

31
32 **(a) Alternative petitions to begin CARE Act proceedings**

33
34 A petition to ~~commence~~ begin CARE Act proceedings must be made on one of the
35 following:

36
37 (1) A Petition to Begin CARE Act Proceedings (form CARE-100) filed by any
38 person authorized to petition by section 5974 or 5978; ~~or,~~

39
40 (2) ~~if the petitioner is a licensed behavioral health professional as defined in~~
41 ~~section 5971(f), on~~ A Petition to Begin CARE Act Proceedings by Licensed
42 Behavioral Health Professional Only (form CARE-102); filed by a licensed
43 behavioral health professional as defined in section 5971(m); or

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(3) A written referral under section 5978 if the CARE Act court deems the referral to be a petition as authorized by that section.

(Subd (a) amended effective July 1, 2026; adopted July 1, 2025; previously amended effective January 1, 2026.)

(b)–(c) * * *

Rule 7.2221 amended effective July 1, 2026; adopted September 1, 2023; previously amended effective September 1, 2024, July 1, 2025, and January 1, 2026.

Rule 7.2223. Venue and transfer (§ 5973)

(a) Filing

A petition to ~~commence~~ begin CARE Act proceedings may be filed in the superior court of:

- (1) The county where the respondent resides at the time of filing;
- (2) The county where the respondent is found at the time of filing; or
- (3) A county where the respondent is a defendant or respondent in a pending criminal or civil action or proceeding.

(Subd (a) amended effective July 1, 2026.)

(b) * * *

Rule 7.2223 amended effective July 1, 2026; adopted September 1, 2023.

~~**Rule 7.2225. Persons who may file petition (§§ 5974, 5978) [Repealed]**~~

~~**(a) Persons who may file petition**~~

~~Any person identified in section 5974 may file a petition to begin CARE Act proceedings. If a petition is based on a referral authorized by section 5978, only the person designated in that section may file the petition.~~

1 *Rule 7.2225 repealed effective July 1, 2026; adopted September 1, 2023; previously amended*
2 *effective September 1, 2024.*

3
4 **Rule 7.2230. Counsel for respondent (§§ 5976(c), 5977(a)(3)(A), (a)(5)(C) & (b)(1))**

5
6 (a) * * *

7
8 (b) **Copy of petition**

9
10 On appointment, the court must provide to counsel a copy of the petition ~~packet to~~
11 ~~appointed counsel.~~

12
13 *(Subd (b) amended effective July 1, 2026*

14
15 (c) * * *

16
17 *Rule 7.2230 amended effective July 1, 2026; adopted September 1, 2023; previously amended*
18 *effective September 1, 2024.*

19
20 **Rule 7.2235. Notice of proceedings (§§ 5977–5977.3, 5979)**

21
22 (a) **Notice of order for report to augment petition (§ 5977(a)(3) & (4))**

23
24 (1–3) * * *

25
26 (4) Notice to the respondent and the respondent’s counsel must also include a
27 copy of the petition ~~packet filed to begin the proceedings~~ and *Information for*
28 *Respondents—About the CARE Act* (form CARE-060-INFO).

29
30 (5) * * *

31
32 (b) **Notice of initial appearance (§ 5977(a)(3)(A), (a)(5)(C))**

33
34 (1–2) * * *

35
36 (3) *Notice to respondent*

37
38 (A) * * *

39
40 (B) Notice to the respondent must include copies of the following:

41
42 (i) The petition ~~packet filed to begin the proceedings~~;

43

1 (ii–iv) * * *

2
3 (4) *Notice to respondent’s counsel*

4
5 (A) * * *

6
7 (B) Notice to the respondent’s counsel must include copies of the
8 following:

9
10 (i) The petition ~~packet filed to begin the proceedings~~; and

11
12 (ii) Any report ordered under section 5977(a)(3).

13
14 (5) * * *

15
16 (c–e) * * *

17
18 *Rule 7.2235 amended effective July 1, 2026; adopted effective September 1, 2023; previously*
19 *amended effective July 1, 2025.*

20
21 **Title 8. Appellate Rules**

22
23 **Division 1. Rules Relating to the Supreme Court and Courts of Appeal**

24
25 **Chapter 1. General Provisions**

26
27 **Article 5. E-filing**

28
29 **Rule 8.74. Format of electronic documents**

30
31 **(a) Formatting requirements applicable to all electronic documents**

32
33 (1)–(4) * * *

34
35 (5) *Size and multiple files:* An electronic filing may not be larger than ~~25~~100
36 megabytes. This rule does not change the limitations on word count or
37 number of pages otherwise established by the California Rules of Court for
38 documents filed in the court. Although certain provisions in the California
39 Rules of Court require volumes of no more than 300 pages (see, e.g., rules
40 8.124(d)(1), 8.144(b)(6), 8.144(g)), an electronic filing may exceed 300
41 pages so long as its individual components comply with the 300-page volume
42 requirement and the electronic filing does not exceed ~~25~~100 megabytes. If a
43 document exceeds the ~~25~~100-megabyte file-size limitation, the electronic

1 filer must submit the document in more than one file, with each file 25100
2 megabytes or less. The first file must include a master chronological and
3 alphabetical index stating the contents for all files. Each file must have a
4 cover page stating (a) the file number for that file and the total number of
5 files for that document, (b) the volumes contained in that file, and (c) the
6 page numbers contained in that file. (For example: File 2 of 4, Volumes 3–4,
7 pp. 301–499.) In addition, each file must be paginated consecutively across
8 all files in the document, including the cover pages for each file. (For
9 example, if the first file ends on page 300, the cover of the second file must
10 be page 301.) If a multiple-file document is submitted to the court in both
11 electronic form and paper form, the cover pages for each file must be
12 included in the paper documents.

13
14 (6)–(9) * * *

15
16 *(Subd (a) amended effective July 1, 2026.)*

17
18 **(b)–(d)** * * *

19
20 *Rule 8.74 amended effective July 1, 2026; adopted as rule 8.76 effective July 1, 2010; previously*
21 *amended and renumbered effective January 1, 2017; previously amended effective January 1,*
22 *2011, and January 1, 2020.*

23
24 **Rule 8.385. Proceedings after the petition is filed**

25
26 **(a)–(c)** * * *

27
28 **(d) Order to show cause**

29
30 (1) Except as provided in (2), if the petitioner has made the required prima facie
31 showing that he or she is entitled to relief, the court must issue an order to
32 show cause. In doing so, the court takes petitioner’s factual allegations as true
33 and makes a preliminary assessment regarding whether the petitioner would
34 be entitled to relief if the petitioner’s factual allegations were proved. If so,
35 the court must issue an order to show cause.

36
37 (2) When a petition raises a claim under section 745(a), the court must issue an
38 order to show cause if the petitioner has made a prima facie showing, which
39 means that the defendant has produced facts that, if true, establish that there
40 is a substantial likelihood that a violation of section 745(a) occurred. A prima
41 facie determination must be based on the petitioner’s showing and the record.

42
43 (3) An order to show cause does not grant the relief sought in the petition.

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(Subd (d) amended effective July 1, 2026.)

(e)–(f) * * *

(g) Appointment of counsel

(1) Except as provided in (2), if the return is ordered to be filed in the Supreme Court or the Court of Appeal, the court in which the return is ordered filed must appoint counsel for any unrepresented petitioner who desires but cannot afford counsel.

(2) When a petition raises a claim under Penal Code section 745(a) and requests appointment of counsel, the court must appoint counsel if the petitioner cannot afford counsel and either ~~the petition alleges facts that would establish a violation of section 745(a) or:~~

(A) The State Public Defender requests that counsel be appointed; or

(B) The petition pleads a plausible allegation of a violation of section 745(a). This inquiry is limited to the facial sufficiency of the allegations of the petition alone.

(3) Newly appointed counsel may amend a petition filed before their appointment.

(Subd (g) amended effective July 1, 2026; adopted September 1, 2024.)

Rule 8.385 amended effective July 1, 2026; adopted effective January 1, 2009; previously amended effective January 1, 2012, January 1, 2014, January 1, 2016, and September 1, 2024.

Advisory Committee Comment

Subdivision (a). * * *

Subdivision (b). As in other cases, when considering a petition raising a claim under Penal Code section 745(a), the court may request an informal written response from the state. In addition, for claims under Penal Code section 745(a), the court should consider simultaneously appointing counsel for an unrepresented petitioner under the standards of section 1473(e)(5).

Subdivision (c). * * *

Subdivision (d). * * *

1 **Subdivision (g).** The standard set out in paragraph (2)(B) is to be construed as a minimal
2 pleading requirement consistent with the Legislature’s statement of intent in Assembly Bill 1071
3 (Stats. 2025, ch. 721).

4
5 **Standard 3.25. Examination of prospective jurors in civil cases**

6
7 **(a) In general**

8
9 (1) *Methods and scope of examination*

10
11 The examination of prospective jurors in a civil case may be oral, by written
12 questionnaire, or by both methods, and should include all questions necessary
13 to ensure the selection of a fair and impartial jury. ~~The~~ *Juror Questionnaire*
14 *for Civil Cases* (form ~~MC-001~~ JURY-001) may be used. During any
15 supplemental examination conducted by counsel for the parties, the trial
16 judge should permit liberal and probing examination calculated to discover
17 possible bias or prejudice with regard to the circumstances of the particular
18 case.

19
20 (2) *Examination by counsel*

21
22 When counsel requests to be allowed to conduct a supplemental voir dire
23 examination, the trial judge should permit counsel to conduct such
24 examination without requiring prior submission of the questions to the judge
25 unless a particular counsel has demonstrated unwillingness to avoid the type
26 of examination proscribed in (f). In exercising ~~his or her~~ sound discretion ~~as~~
27 ~~to~~ regarding the form and subject matter of voir dire questions, the trial judge
28 should consider, among other criteria: (1) any unique or complex elements,
29 legal or factual, in the case, and (2) the individual responses or conduct of
30 jurors that may evince attitudes inconsistent with suitability to serve as a fair
31 and impartial juror in the particular case. Questions regarding personal
32 relationships of jurors should be relevant to the subject matter of the case.

33
34 *(Subd (a) amended effective July 1, 2026; previously amended effective January 1, 1974,*
35 *July 1, 1993, January 1, 2004, and January 1, 2007.)*

36
37 **(b) Pre-voir dire conference**

38
39 Before the examination the trial judge should, outside the prospective jurors’
40 hearing and with a court reporter present, confer with counsel, at which time
41 specific questions or areas of inquiry may be proposed that the judge in ~~his or her~~
42 their discretion may inquire of the jurors. Thereafter, the judge should advise
43 counsel of the questions or areas to be inquired into during the examination and
44 voir dire procedure. The judge should also obtain from counsel the names of the

1 witnesses whom counsel then plan to call at trial and a brief outline of the nature of
2 the case, including any alleged injuries or damages and, in an eminent domain
3 action, the respective contentions of the parties concerning the value of the property
4 taken and any alleged severance damages and special benefits.
5

6 *(Subd (b) amended effective July 1, 2026; previously amended effective January 1, 1974,*
7 *and January 1, 2007.)*
8

9 **(c) Examination of jurors**

10
11 Except as otherwise provided in (d), the trial judge’s examination of prospective
12 jurors should include the following areas of inquiry and any other matters affecting
13 their qualifications to serve as jurors in the case:
14

15 (1) *To the entire jury panel after it has been sworn and seated:*
16

17 I am now going to question the prospective jurors who are seated in the jury
18 box concerning their qualifications to serve as jurors in this case. All
19 members of this jury panel, however, should pay close attention to my
20 questions, making note of the answers you would give if these questions were
21 put to you personally. If and when any other member of this panel is called to
22 the jury box, the member will be asked to ~~give his or her answers to~~ answer
23 these questions.
24

25 (2)–(10) * * *
26

27 (11) Have any of you served as a juror in any other case? (If so, was it a civil or
28 criminal case?) You must understand that there is a basic difference between
29 a civil case and a criminal case. In a criminal case a defendant must be found
30 guilty beyond a reasonable doubt; in a civil case such as this, you need only
31 find that the evidence you accept as the basis of your decision is more
32 convincing, and thus has the greater probability of truth, than the contrary
33 evidence.
34

35 In the following questions I will be using the terms “family,” “close friend,”
36 and “anyone with whom you have a significant personal relationship.” The
37 term “anyone with whom you have a significant personal relationship” means
38 a current or former spouse, domestic partner, life partner, ~~former spouse~~, or
39 anyone with whom you have an influential or intimate relationship that you
40 would characterize as important.
41

42 (12)–(15) * * *
43

1 (16) *When appropriate:*

2
3 ~~It may appear that~~ The background or experiences of one or more of the
4 parties, witnesses, or attorneys ~~come from a particular national, racial, or~~
5 ~~religious group (or may have a lifestyle different than your own).~~ may appear
6 to be different from yours related to their [ethnicity, religion, age, gender,
7 gender expression, gender identity, national origin, disability, race, sexual
8 orientation, socioeconomic status, or other personal characteristic]. Would
9 this in any way affect your judgment or the weight and credibility you would
10 give to their testimony or ~~to their contentions?~~ arguments?

11
12 (17)–(19) * * *

13
14 (20) Each of you should now state your:

15
16 (A) Name; (or Juror ID number);

17
18 (B) Children’s ages and the number of children, if any;

19
20 (C) Occupation;

21
22 (D) Occupational history; and

23
24 (E) Present employer;

25
26 And for your spouse or anyone with whom you have a significant personal
27 relationship, their:

28
29 ~~(F)~~ Names;

30
31 ~~(G)~~ (F) Occupations;

32
33 ~~(H)~~ (G) Occupational histories; and

34
35 ~~(I)~~ (H) Present employers.

36
37 Please begin with juror number one.

38
39 (21) * * *

40
41 *(Subd (c) amended effective July 1, 2026; adopted effective January 1, 1972; previously*
42 *amended effective January 1, 1974, January 1, 2004, and January 1, 2007.)*

43

1 (d) **Examination of jurors in eminent domain cases**

2 In eminent domain cases, the trial judge’s examination of prospective jurors should
3 include, in the areas of inquiry in (c)(1) through (c)(12), the following matters, and
4 any other matters affecting their qualifications to serve as jurors in the case:
5

6 (1)–(6) * * *

7
8 (7) *When appropriate:*
9

10 ~~It may appear that~~ The background or experiences of one or more of the
11 parties, witnesses, or attorneys ~~come from a particular national, racial, or~~
12 ~~religious group (or may have a lifestyle different from your own).~~ may appear
13 to be different from yours related to their [ethnicity, religion, age, gender,
14 gender expression, gender identity, national origin, disability, race, sexual
15 orientation, socioeconomic status, or other personal characteristic]. Would
16 this in any way affect your judgment or the weight and credibility you would
17 give to their testimony or ~~contentions?~~ arguments?
18

19 (8)–(12) * * *

20
21 (13) The Constitution of this state requires that a property owner be paid just
22 compensation for the taking (or damaging) of ~~his or her~~ the owner’s property
23 for public use. It will be the duty of the jury ultimately selected in this case to
24 determine the just compensation to be paid.
25

26 (14)–(25) * * *

27
28 (26) In a condemnation case the property owner produces ~~all of his or her~~
29 evidence of value first, then the government calls its witnesses. Having this in
30 mind, will you keep your mind open throughout all the case and not
31 determine the matter in your mind until all of the evidence is in?
32

33 (27) * * *

34
35 (28) Each of you should now state your:
36

37 (A) Name; (or Juror ID number);

38 (B) Children’s ages and number of children, if any;

39 (C) Occupation;

40 (D) Occupational history; and
41
42
43
44

1 (E) Present employer;

2
3 And for your spouse or anyone with whom you have a significant personal
4 relationship, their:

5
6 (F) Names;

7
8 (G) Occupations;

9
10 (H) Occupational histories; and

11
12 (I) Present employers.

13
14 Please begin with juror number one.

15
16 (29)–(30) * * *

17
18 *(Subd (d) amended effective July 1, 2026; adopted effective January 1, 1974; previously*
19 *amended effective January 1, 1989, January 1, 2004, and January 1, 2007.)*

20
21 (e) * * *

22
23 (f) **Improper questions**

24
25 When any counsel examines the prospective jurors, the trial judge should not
26 permit counsel to attempt to precondition the prospective jurors to a particular
27 result or allow counsel to comment on the personal lives and families of the parties
28 or their attorneys. Nor should the trial judge allow counsel to question the jurors
29 concerning the pleadings, the applicable law, the meaning of particular words and
30 phrases, or the comfort of the jurors, except in unusual circumstances, ~~where,~~
31 when, in the trial judge's sound discretion, such questions ~~become~~ are necessary to
32 ~~insure~~ ensure the selection of a fair and impartial jury.

33
34 *(Subd (f) amended effective July 1, 2026; previously amended effective January 1, 1974,*
35 *and January 1, 2007.)*

36
37 *Standard 3.25 amended effective July 1, 2026; adopted as Sec. 8 effective January 1, 1972;*
38 *previously amended effective January 1, 1974, January 1, 1989, July 1, 1993, and January 1,*
39 *2004; previously amended and renumbered effective January 1, 2007.*

40
41 **Standard 4.10. Guidelines for adult collaborative treatment courts ~~diversion drug~~**
42 **court programs**

43

1 (a) **Minimum components**

2
3 (1) The components specified in this standard should be included as minimum
4 requirements in ~~any pre-plea diversion drug program developed under Penal~~
5 ~~Code section 1000.5.~~ adult collaborative treatment courts.

6
7 (2) Adult collaborative treatment courts are evidence-based, postadjudication
8 courts that provide an alternative to traditional criminal justice case
9 processing. Adult collaborative treatment courts may include adult drug
10 courts, impaired driving treatment courts, family treatment courts, and
11 veterans treatment courts.

12
13 *(Subd (a) amended effective July 1, 2026; previously amended effective January 1, 2007.)*

14
15 (b) **Early entry Adult collaborative treatment court participants**

16
17 ~~Eligible participants should be identified early and enter into a supervision and~~
18 ~~treatment program promptly.~~

19
20 (1) ~~A declaration of eligibility should be filed by the district attorney no later~~
21 ~~than the date of the defendant's first appearance in court.~~

22
23 (2) ~~Participants designated as eligible by the district attorney should be ordered~~
24 ~~by the assigned drug court judge to report for assessment and treatment~~
25 ~~supervision within five days of the first court appearance.~~

26
27 (1) Adult collaborative treatment courts should serve a high-risk and high-need
28 target population.

29
30 (2) Adult collaborative treatment courts may serve participants with lower risk or
31 need levels. Adult collaborative treatment courts that serve more than one
32 risk or need level should develop alternative treatment and service tracks.

33
34 (3) Adult collaborative treatment court candidates should be identified early.
35 Those determined eligible for participation should be accepted and placed
36 into an adult collaborative treatment court promptly.

37
38 *(Subd (b) amended effective July 1, 2026.)*

39
40 (c) **Treatment and social services**

41
42 Participants should be given access to a continuum of treatment and ~~rehabilitative~~
43 social services that are responsive to their individual needs.

- 1
2 (1) ~~The county drug program administrator should specify and certify~~
3 ~~appropriate drug treatment programs under Penal Code section 1211.~~
4
5 (2) ~~The certified treatment programs should provide a minimum of two levels of~~
6 ~~treatment services to match participants to programs according to their needs~~
7 ~~for treatment, recognizing that some divertees may be at the stage of~~
8 ~~experimenting with illicit drugs while others may be further along in the~~
9 ~~addiction's progression.~~
10
11 (3) ~~Each Treatment levels~~ should be divided into phases in order a phase
12 structure to provide periodic reviews of treatment progress and address
13 participant needs in an effective sequence. Each phase may vary in length. It
14 should be recognized that a participant is expected to progress in treatment
15 but may relapse. ~~Most participants, however, should be able to successfully~~
16 ~~complete the treatment program within 12 months.~~
17
18 (4)(2) ~~Each pre-plea diversion drug court program~~ Adult collaborative
19 treatment courts should have an assessment component to ensure that
20 participants are initially screened and then periodically assessed ~~by treatment~~
21 ~~personnel~~ to ensure that appropriate treatment and social services are
22 provided and to monitor the participants' progress ~~through the phases.~~
23
24 (5) ~~Treatment services should include educational and group outpatient~~
25 ~~treatment. Individual counseling, however, should be made available in~~
26 ~~special circumstances if an assessment based on acceptable professional~~
27 ~~standards indicates that individual counseling is the only appropriate form of~~
28 ~~treatment. Referrals should be made for educational and vocational~~
29 ~~counseling if it is determined to be appropriate by the judge.~~
30

31 *(Subd (c) amended effective July 1, 2026; previously amended effective January 1, 2007.)*
32

33 **(d) Monitoring**
34

35 ~~Abstinence from and use of drugs should be monitored by frequent drug testing.~~
36 Abstinence from and use of controlled substances should be monitored and tested
37 at the frequency determined necessary by the adult collaborative treatment court
38 based on each participant's behavior and needs.
39

- 40 (1) ~~Alcohol and other drug (AOD) testing is essential and should be mandatory~~
41 ~~in each pre-plea diversion drug court program to monitor participant~~
42 ~~compliance.~~
43

- 1 (2) Testing may be administered randomly or at scheduled intervals, but should
2 occur no less frequently than one time per week during the first 90 days of
3 treatment.
4
- 5 (3) The probation officer and court should be immediately notified when a
6 participant has tested positive, has failed to submit to AOD testing, or has
7 submitted an adulterated sample. In such cases, an interim hearing should be
8 calendared and required as outlined in (e)(4).
9
- 10 (4) Participants should not be considered to have successfully completed the
11 treatment program unless they have consistently had negative test results for
12 a period of four months.
13

14 *(Subd (d) amended effective July 1, 2026; previously amended effective January 1, 2007.)*
15

16 **(e) Judicial supervision**
17

18 There should be early and frequent judicial supervision of each diversion drug
19 court participant. Adult collaborative treatment courts should provide early and
20 ongoing judicial supervision, at a frequency consistent with the needs of each
21 participant.
22

- 23 (1) Each participant should appear in court before a specifically assigned
24 diversion drug court judge within 30 days after the first court appearance. At
25 this time the participant should provide proof of registration, proof of
26 completion of assessment, proof of entry into a specific treatment program,
27 and initial drug test results.
28
- 29 (2) The second drug court appearance should be held no later than 30 days after
30 the first drug court appearance. The third drug court appearance should be
31 held no later than 60 days after the second drug court appearance.
32
- 33 (3) A final drug court appearance should be required no sooner than 12 months
34 from entry into treatment unless continued treatment is found to be
35 appropriate and necessary.
36
- 37 (4) Interim drug court appearances should be required within one week of the
38 following: positive drug test results, failure to test, adulterated test, or failure
39 to appear or participate in treatment.
40
- 41 (5) At each drug court appearance, the judge should receive a report of the
42 participant's progress in treatment and drug test results and should review,

1 monitor, and impose rewards and sanctions based on the participant's
2 progress or lack of progress.

3
4 *(Subd (e) amended effective July 1, 2026.)*

5
6 **(f) Sanctions, and incentives, and service adjustments**

7
8 ~~The drug court responds~~ Adult collaborative treatment courts should respond
9 directly to each participant's ~~compliance or noncompliance~~ behavior with
10 ~~graduated sanctions, or incentives,~~ or service adjustments.

11
12 (1) A clear regimen of incentives and sanctions should be established and
13 implemented ~~at each court hearing~~ to support each participant's adherence to
14 adult collaborative treatment court goals and conditions.

15
16 (2) ~~The suggested range of incentives should be as follows:~~

17
18 (A) ~~Encouragement;~~

19
20 (B) ~~Advancement to next treatment phase;~~

21
22 (C) ~~Reduction in diversion program fees (other than state-mandated fees);~~

23
24 (D) ~~Completion of treatment and required court appearances and shortening~~
25 ~~of the term of diversion; and~~

26
27 (E) ~~Other incentives the court may deem necessary or appropriate.~~

28
29 (3) ~~The suggested range of sanctions should be as follows:~~

30
31 (A) ~~Demotion to earlier treatment phase;~~

32
33 (B) ~~Increased frequency of testing, supervision, or treatment requirements;~~

34
35 (C) ~~Graduated length of incarceration for violating diversion order to~~
36 ~~abstain from use of illegal drugs and for nonparticipation in treatment;~~
37 ~~and~~

38
39 (D) ~~Reinstatement of criminal proceedings.~~

40
41 Service adjustments should be provided when necessary to support a
42 participant in achieving program goals and conditions. Service adjustments
43 should not be used as incentives or sanctions. Service adjustments may

1 include, but are not limited to, supervision adjustments, treatment
2 adjustments, and learning adjustments.

3
4 (3) Adult collaborative treatment courts may establish additional responses to
5 behaviors to address participant and court needs.

6
7 (4) ~~A participant~~ Adult collaborative treatment courts should hold a hearing to
8 determine whether a participant facing possible unsuccessful discharge
9 should be terminated from the pre-plea diversion drug court, adult
10 collaborative treatment court and criminal proceedings should be reinstated, ;
11 if the drug court judge, after a hearing, makes a final and specific finding and
12 determination at any time during the period of diversion that the participant
13 has:

14
15 (A) ~~Not performed satisfactorily in treatment;~~

16
17 (B) ~~Failed to benefit from education, treatment, or rehabilitation;~~

18
19 (C) ~~Been convicted of a misdemeanor that reflects the participant's~~
20 ~~propensity for violence; or~~

21
22 (D) ~~Engaged in criminal conduct rendering him or her unsuitable for~~
23 ~~continued treatment.~~

24
25 *(Subd (f) amended effective July 1, 2026; previously amended effective January 1, 2007.)*

26
27 **(g) National standards**

28
29 ~~In addition to meeting the minimum guidelines provided in this standard, courts are~~
30 ~~encouraged to look to the nationally accepted guidelines, *Defining Drug Courts:*~~
31 ~~*The Key Components*, developed by the National Association of Drug Court~~
32 ~~Professionals in cooperation with the Department of Justice, for further and~~
33 ~~detailed guidance in developing an effective diversion drug court program.~~

34
35 Diversity, equity, and inclusion

36
37 (1) Adult collaborative treatment courts should ensure equitable access, services,
38 and outcomes for all sociodemographic and sociocultural groups.

39
40 (2) Adult collaborative treatment court staff and service providers are
41 encouraged to reflect the sociodemographic characteristics or sociocultural
42 identities of adult collaborative treatment court candidates and participants.

43

1 (Subd (g) amended effective July 1, 2026; previously amended effective January 1, 2007.)

2
3 Standard 4.10 amended effective July 1, 2026; adopted as sec. 36 effective January 1, 1998;
4 previously amended and renumbered effective January 1, 2007.

5
6 **Advisory Committee Comment**

7
8 **Subdivision (a).** In addition to the components identified in this standard, Health and Safety
9 Code section 11972(a) specifies requirements and components for the design and operation of an
10 adult collaborative treatment court.

11
12 **Standard 4.30. Examination of prospective jurors in criminal cases**

13
14 **(a) In general**

15
16 (1) * * *

17
18 (2) The examination of prospective jurors in a criminal case should include all
19 questions necessary to ~~insure~~ ensure the selection of a fair and impartial jury.

20
21 (3) * * *

22
23 (Subd (a) amended effective July 1, 2026; previously amended effective January 1, 1988,
24 January 1, 1990, June 6, 1990, January 1, 2006., and January 1, 2007)

25
26 **(b) Examination of jurors**

27
28 The trial judge's examination of prospective jurors in criminal cases should include
29 the areas of inquiry listed below and any other matters affecting their qualifications
30 to serve as jurors in the case. The trial judge may want to use ~~the~~ *Juror*
31 *Questionnaire for Criminal Cases* (form JURY-002) to assist in the examination of
32 prospective jurors. Form JURY-002 is an optional form and is not intended to
33 constitute the complete examination of prospective jurors. Form JURY-002 is a
34 tool for trial judges to use to make the initial examination of prospective jurors
35 more efficient. If the court chooses to use form JURY-002, its use and any
36 supplemental questions submitted by counsel must be discussed at the ~~pre-voir~~ pre-
37 voir dire conference required by rule 4.200. Excusing jurors based on questionnaire
38 answers alone is generally not advisable.

39
40 (1)–(2) * * *

41
42 (3) *At this point the court may wish to submit any juror questionnaire that has*
43 *been developed to assist in voir dire. The court should remind panel members*
44 *that their answers on the questionnaire are given under penalty of perjury. In*

1 *addition, if a questionnaire is used, the court and counsel may wish to*
2 *question individual prospective jurors further based on their responses to*
3 *particular questions, and a procedure for doing so should be established at*
4 *the pre–voir dire conference. Therefore, it may not be necessary to ask all of*
5 *the prospective jurors questions 5 through 25 that follow, although the text*
6 *may assist the court with following up with individual jurors about answers*
7 *given on the questionnaire.*

8
9 *To the entire jury panel:*

10
11 I am now going to question the prospective jurors who are seated in the jury
12 box concerning their qualifications to serve as jurors in this case. All the
13 remaining members of this jury panel, however, should pay close attention to
14 my questions, making note of the answers you would give if these questions
15 were put to you personally. If and when any other member of this panel is
16 called to the jury box, ~~he or she~~ the member will be asked to answer these
17 questions.

18
19 (4)–(5) * * *

20
21 (6) ~~Ladies and gentlemen~~ Members of the jury: This is a criminal case entitled
22 The People of the State of California v. _____. The (defendant
23 is)(defendants are) seated _____.

24
25 (A) ~~(Mr.)(Ms.)~~ (Name of defendant), please stand and face the prospective
26 jurors in the jury box and in the audience seats. (*Defendant complies.*)
27 Is there any member of the jury panel who is acquainted with the
28 defendant or who may have heard ~~(his)(her)~~ the name (name of
29 defendant) before today? If your answer is yes, please raise your hand.

30
31
32 (B) The defendant, _____, is represented by ~~(his)(her)~~ an attorney,
33 _____, who is seated _____. ~~(Mr.)(Ms.)~~ (Name of defense
34 attorney), would you please stand? Is there any member of the jury
35 panel who knows or who has seen ~~(Mr.)(Ms.)~~ _____ (name of
36 defense attorney) before today?

37
38 (C) (*If there is more than one defendant, repeat (a) and (b) for each*
39 *codefendant.*)

40
41 (7) The People are represented by _____, Deputy District Attorney, who is
42 seated _____. ~~(Mr.)(Ms.)~~ (Name of district attorney), would you please
43 stand? Is there any member of the jury panel who knows or who has seen
44 ~~(Mr.)(Ms.)~~ _____ (name of district attorney) before today?

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(8) The defendant is charged by an (information)(indictment) filed by the district attorney with having committed the crime of _____, in violation of section _____ of the _____ Code, _____ Code section _____, it being alleged that on or about _____ in the County of _____, the defendant did (*describe the offense*). To (this charge)(these charges) the defendant has pleaded not guilty, and the jury will have to decide whether the defendant's guilt has been proved beyond a reasonable doubt. Having heard the charge(s) that (has)(have) been filed against the defendant, is there any member of the jury panel who feels ~~that he or she cannot~~ unable to give this defendant a fair trial because of the nature of the charge(s) ~~against (him)(her)?~~

(9)-(12) * * *

(13) How many of you have served previously as jurors in a criminal case?

To each person whose hand is raised:

(A) ~~(Mr.)(Ms.) _____~~ (or Juror (Name or Juror ID number)), you indicated you have been a juror in a criminal case. What were the charges in that case? (*Response.*)

(B) Do you feel you can put aside whatever you heard in that case and decide this case on the evidence to be presented and the law as I will state it to you? (*Response.*)

(14) May I see the hands of those jurors who have served on civil cases, but who have never served on a criminal case? (*Response.*) You must understand that there are substantial differences in the rules applicable to the trial of criminal cases from those applicable to the trial of civil cases. This is particularly true respecting the burden of proof that is placed on the People. In a civil case we say that the plaintiff must prove ~~(his)(her)~~ the case by a preponderance of the evidence. In a criminal case, the defendant is presumed to be innocent, and ~~before (he)(she) may be found guilty~~ for the jury to make a finding of guilt, the People must prove ~~(his)(her)~~ the defendant's guilt beyond a reasonable doubt. If the jury has a reasonable doubt, the defendant must be acquitted. Will each of you be able to set aside the instructions that you received in your previous cases and try this case on the instructions given by me in this case?

(15) The fact that the defendant is in court for trial, or ~~that charges have been made against (him)(her)~~ has been charged, is no evidence ~~whatever~~ whatsoever of ~~(his)(her)~~ guilt. The jurors are to consider only evidence properly received in the courtroom in determining whether the defendant's

1 guilt has been proved beyond a reasonable doubt. The defendant has entered
2 a plea of “not guilty,” which is a complete denial, making it necessary for the
3 People, acting through the district attorney, to prove beyond a reasonable
4 doubt the case against the defendant. If the evidence does not convince you
5 of the truth of the charges beyond a reasonable doubt, the defendant is
6 entitled to a verdict of not guilty.

7
8 In the following questions I will be using the terms “relative,” “close friend,”
9 and “anyone with whom you have a significant personal relationship.” The
10 term “anyone with whom you have a significant personal relationship” means
11 a current or former spouse, domestic partner, life partner, ~~former spouse~~, or
12 anyone with whom you have an influential or intimate relationship that you
13 would characterize as important.

14
15 (16)–(19) * * *

16
17 (20) *When appropriate:*

18
19 ~~It may appear that~~ The background or experiences of one or more of the
20 parties, attorneys, or witnesses ~~come from a particular national, racial, or~~
21 ~~religious group (or may have a lifestyle different from your own).~~ may appear
22 to be different from yours related to their [ethnicity, religion, age, gender,
23 gender expression, gender identity, national origin, disability, race, sexual
24 orientation, socioeconomic status, or other personal characteristic]. Would
25 this in any way affect your judgment or the weight and credibility you would
26 give to their testimony or arguments?

27
28 (21)–(26) * * *

29
30 (27) *If a new prospective juror is seated, the court should ask ~~him or her:~~ that*
31 *juror:*

- 32
33 (A) Have you heard my questions to the other prospective jurors?
34
35 (B) Have any of the questions I have asked raised any doubt in your mind
36 ~~as to~~ about whether you could be a fair and impartial juror in this case?
37
38 (C) Can you think of any other reason why you might not be able to try this
39 case fairly and impartially to both the prosecution and defendant, or
40 why you should not be on this jury?
41
42 (D) Give us the personal information requested concerning your
43 occupation, that of your spouse or anyone with whom you have a

1 significant personal relationship, that of your adult children, and your
2 prior jury experience.

3
4 *(Thereupon, ~~as to~~ for each new juror seated, the court must permit counsel to*
5 *ask supplemental questions; and proceed with challenges as above.)*
6

7 *(Subd (b) amended effective July 1, 2026; adopted as subd (c) effective July 1, 1974;*
8 *amended and relettered effective June 6, 1990; previously amended effective January 1,*
9 *1997, January 1, 2004, January 1, 2006, January 1, 2007, and January 1, 2023.)*

10
11 (c) * * *

12
13 *Standard 4.30 amended effective July 1, 2026; adopted as sec. 8.5 July 1, 1974; previously*
14 *amended effective January 1, 1988, January 1, 1990, June 6, 1990, January 1, 1997, January 1,*
15 *2004, January 1, 2006, and January 1, 2023; previously amended and renumbered as standard*
16 *4.30 effective January 1, 2007*

17 18 **Title 10. Standards for Judicial Administration**

19 20 **Standard 10.22. Gender-inclusive practices for juror identification and juror** 21 **questionnaires**

22 23 **(a) Statement of purpose**

24
25 Consistent with the court's duty to prevent bias, as described in standard 10.20, and
26 to ensure the inclusivity of juror identification and any juror questionnaire under
27 Code of Civil Procedure section 205(e), the court, its judicial officers, and its
28 employees should use gender-inclusive language on juror questionnaires and in
29 written and oral communications directed to jurors. For the purpose of this
30 standard, "juror" includes a prospective juror.

31 32 **(b) Recommended practices**

33
34 (1) The court, its judicial officers, and its employees should use gender-neutral
35 language in general materials and communications directed to jurors
36 whenever applicable.

37
38 (2) To avoid making assumptions about gender, the court, its judicial officers,
39 and its employees should not use gender-specific honorifics or pronouns to
40 identify or refer to a juror who has not indicated the honorific or pronouns
41 that the juror uses.

42
43 (3) The court, its judicial officers, and its employees should avoid seeking
44 information about the gender of a juror or a relevant individual associated

1 with the juror (a family member, friend, or person with whom the juror has a
2 significant personal relationship) when such information is not necessary or
3 relevant to the proper exercise of the court’s adjudicatory or administrative
4 functions.

5
6 (4) When the court seeks information about the gender of a juror or an associated
7 individual to properly carry out its adjudicatory or administrative functions,
8 the court should allow the juror to indicate their gender identity or gender
9 expression, as applicable. To assist a juror who has privacy concerns with
10 disclosing such information, the court should, whenever possible, either
11 specify that responding to a question about gender is optional or provide a
12 “decline to state” option.

13
14 (A) When a question about gender provides multiple responses to choose
15 from, the question should allow for multiple options to be selected
16 (e.g., “select all that apply”).

17
18 (B) When a question about gender provides multiple options to choose
19 from (e.g., man, nonbinary, woman), including a write-in response
20 option, the accompanying text for the write-in option, if included,
21 should use phrases like “prefer to self-identify” or “identify as” and
22 avoid phrases like “other” or “none of the above.”

23
24 *Standard 10.22 adopted effective July 1, 2026.*