



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

Telephone 415-865-4200 · Fax 415-865-4205

MEMORANDUM

Date

January 24, 2024

Action Requested

Please Review and Approve

To

JBSIS Subcommittee Members

Deadline

N/A

From

Paarth Malkan, Senior Analyst
Austin Hulbert, Senior Analyst
Office of Court Research

Contact

Paarth Malkan
415-865-7588 phone
paarth.malkan@jud.ca.gov

Subject

Civil Case Cover Sheet Amendments

Austin Hulbert

415-865-7429 phone
austin.hulbert@jud.ca.gov

Summary

The Office of Court Research recommends approving the addition of “Asbestos” and “Employment Development Department (EDD)” as case types to the Civil Case Cover Sheet (CM-010). Item 1 of the Civil Case Cover Sheet contains various civil case type categories that correspond to civil case types in the Judicial Branch Statistical Information System (JBSIS). To ensure that the upcoming JBSIS 4.0 can capture the new Asbestos and EDD case types, they must be added as new case types to Item 1 of the Civil Case Cover Sheet.

Context

At its July 15, 2022 meeting, the Judicial Council approved updates to data reporting standards for the upcoming Judicial Branch Statistical Information System (JBSIS) 4.0, with expected implementation in 2025. As part of the approved updates, new case types will be added to civil reports, specifically Asbestos and Employment Development Department (EDD) within the Civil

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Limited and Unlimited reports. To facilitate these updates, corresponding changes are necessary in the Civil Case Cover Sheet.

The Civil Case Cover Sheet is a form used to initiate civil lawsuits that provides basic information about the case. Under Item 1 of the Civil Case Cover Sheet are various case type categories, which contain specific sub-case types to describe the nature of the lawsuit more accurately. Item 1 contains the following case type categories:

- Auto Tort
- Other PI/PD/WD
- Non-PI/PD/WD
- Employment
- Contract
- Real Property
- Unlawful Detainer
- Judicial Review
- Provisionally Complex Civil Litigation
- Enforcement of Judgement
- Miscellaneous Civil Complaint
- Miscellaneous Civil Petition.

In JBSIS, the case types in civil reports correspond to the broader case type categories in the Civil Case Cover Sheet. Thus, JBSIS reflects civil data at the level of case type categories and does not capture data at the sub-case type level.

Both asbestos and EDD cases are included, directly or indirectly, in the sub-case types of the Civil Case Cover Sheet. Asbestos is a sub-case type under the “Other PI/PD/WD Tort” case type category. EDD is captured indirectly under the “Other employment” sub-case type of the “Employment” case type category. Because JBSIS does not distinguish between sub-case types within case type categories, it cannot capture specific data points related to Asbestos or EDD litigation.

Given that there is no JBSIS mechanism to capture those specific data points, the Office of Court Research (OCR) manually collects this data directly from courts for the Resource Assessment Study (RAS). By including asbestos and EDD as case type categories in the Civil Case Cover Sheet, JBSIS 4.0 can collect these data points, eliminating the need for the manual data reporting by court staff.

Proposed Actions

To ensure alignment between the case type categories in the Civil Case Cover Sheet and the civil case types in JBSIS 4.0, OCR recommends that the JBSIS Subcommittee approve the additions of “Asbestos” and “Employment Development Department (EDD)” as case type categories to the

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civil case cover sheet. If approved, the item would then go to the Court Executives Advisory Committee (CEAC) for approval.

Additionally, if approved, the new case type categories would require sub-case type checkboxes. OCR recommends naming the sub-case type “Asbestos” for the Asbestos case type category, and “Employment Development Department” for the EDD case type category. The precedent for a case type category and its sub-case type sharing the same name has been established by the “Enforcement of Judgement” case type category, which shares its name with its sub-case type.