

Advisory Committee on Criminal Jury Instructions
Annual Agenda¹— 2024–2025
Approved by Rules Committee: October 22, 2024

I. COMMITTEE INFORMATION

Chair:	Hon. Jeffrey S. Ross, San Francisco County Superior Court
Lead Staff:	Kara Portnow, Supervising Attorney, Criminal Justice Services
<p>Committee’s Charge/Membership: Rule 10.59 of the California Rules of Court states the charge of the Advisory Committee on Criminal Jury Instructions (CALCRIM), which is to regularly review case law and statutes affecting jury instructions and to make recommendations to the Judicial Council for updating, amending, and adding topics to the council’s criminal jury instructions.</p> <p>Rule 10.59 also sets forth the membership position of the committee. The Advisory Committee on Criminal Jury Instructions currently has 13 members. The current committee roster is available on the committee’s web page.</p>	
<p>Subgroups of the Advisory Committee²: The committee has one subcommittee, the CALCRIM Workgroup, currently consisting of six members who meet to pre-vet all materials before they go to the full committee for review.</p>	
<p>Meetings Planned for 2024–2025³ (Advisory body and all subgroups listed above.) Date/Time/Remote or Location if in person (see footnote 3 for in-person meetings): Two full committee meetings in San Francisco: October 18, 2024 and May 2025 (date TBD). Two workgroup meetings: September 12, 2024 and April 2025 (date TBD) by videoconference.</p> <p><input checked="" type="checkbox"/> Check here if in-person meeting is approved by the internal committee oversight chair.</p>	

¹ The annual agenda outlines the work a committee will focus on in the coming year or cycle and identifies areas of collaboration with other advisory bodies and the Judicial Council staff resources.

²For the definition of “subcommittee” see Cal. Rules of Court, rule 10.30(c); “working group” see rule 10.70, “workstream,” see rule 10.53(c); and “education curriculum committee,” see rule 10.50(c)(6).

³ Refer to section IV. 2. of the [Operating Standards for Judicial Council Advisory Bodies](#) for governance on in-person meetings.

Note: Because of the current budget and staffing constraints, advisory body chairs and staff must first consider meeting remotely. The chair of the Executive and Planning Committee is suspending advisory body in-person meetings for the 2024–2025 annual agenda cycle. If an in-person meeting is needed, the responsible Judicial Council office head must seek final approval from the advisory body’s internal oversight committee chair. Please see the prioritization memo dated July 1, 2024, for additional details.

II. COMMITTEE PROJECTS

#	New or One-Time Projects ⁴	
	No new projects planned at this time.	<i>Priority n/a⁵</i>
		<i>Strategic Plan Goal n/a⁶</i>

#	Ongoing Projects and Activities	
1	<i>Project Title: Maintenance—Case Law and Legislation</i>	<i>Priority 1(a)</i>
		<i>Strategic Plan Goal IV</i>
	<p><i>Project Summary:</i> Review case law and new legislation affecting jury instructions to determine whether changes to the criminal jury instructions are required. Judicial Council direction: Draft and maintain jury instructions that accurately and understandably state the law.</p> <p><i>Status/Timeline:</i> Ongoing, with delivery to Judicial Council at February and October meetings.</p> <p><i>Fiscal Impact/Staff Resources:</i> No implementation costs are associated with this project.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p><i>Internal/External Stakeholders:</i> Not applicable.</p> <p><i>AC Collaboration:</i> Not applicable.</p>	

⁴ All proposed projects for the year must be included on the Annual Agenda. If a project implements policy or is a program, identify it as *implementation* or a *program* in the project description and attach the Judicial Council authorization/assignment or prior approved Annual Agenda to this Annual Agenda.

⁵ For non-rules and forms projects, select priority level 1 (must be done) or 2 (should be done). For rules and forms proposals, select one of the following priority levels: 1(a) Urgently needed to conform to or accurately reflect the law; 1(b) Council has directed the committee to consider new or amended rules and forms; 1(c) Change is urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; or 1(d) Proposal is otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk. *For each priority level 1 proposal, the advisory body must provide a specific reason why it should be done this year and how it fits within the identified category.* 2(a) Useful, but not necessary, to implement changes in law; 2(b) Responsive to identified concerns or problems; or 2(c) Helpful in otherwise advancing Judicial Council goals and objectives. *If an advisory committee is interested in pursuing any Priority Level 2 proposals, please include justification as to why the proposal should be approved at this time.*

⁶ Indicate which goal number of The Strategic Plan for California's Judicial Branch the project most closely aligns.

# Ongoing Projects and Activities	
2	Project Title: Maintenance—Comments from Users
	Priority 1(a), 1(c)
Strategic Plan Goal IV	
<p>Project Summary: Review comments received from jury instruction users and propose any necessary changes and improvements. Judicial Council Direction: Draft and maintain jury instructions that accurately and understandably state the law.</p> <p>Status/Timeline: Ongoing, with delivery to Judicial Council at February and October meetings.</p> <p>Fiscal Impact/Staff Resources: No implementation costs are associated with this project.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Not applicable. AC Collaboration: Not applicable.</p>	
3	Project Title: New Instructions and Expansion into New Areas.
	Priority 1(a), 1(c)
Strategic Plan Goal IV	
<p>Project Summary: Review suggestions received from jury instruction users, new legislation, and case law and propose new criminal jury instructions as appropriate. Judicial Council Direction: Draft and maintain jury instructions that accurately and understandably state the law.</p> <p>Status/Timeline: Ongoing, with delivery to Judicial Council at February and October meetings.</p> <p>Fiscal Impact/Staff Resources: No implementation costs are associated with this project.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Not applicable. AC Collaboration: Not applicable.</p>	
4	Project Title: Technical Corrections
	Priority 2(c)
Strategic Plan Goal IV	
<p>Project Summary: Make any necessary corrections or editing changes to the jury instructions. Judicial Council Direction: Draft and maintain jury instructions that accurately and understandably state the law.</p>	

#	Ongoing Projects and Activities
	<p>Status/Timeline: Ongoing, with delivery to Judicial Council at February and October meetings.</p> <p>Fiscal Impact/Staff Resources: No implementation costs are associated with this project.</p> <p><input type="checkbox"/> <i>This project may result in an allocation or distribution of funds to the courts. We will coordinate with Budget Services to ensure their review of relevant materials.</i></p> <p>Internal/External Stakeholders: Not applicable.</p> <p>AC Collaboration: Not applicable.</p>

III. LIST OF 2024 PROJECT ACCOMPLISHMENTS

#	Project Highlights and Achievements
1.	Maintenance—Case Law and Legislation: Reviewed case law and new legislation affecting jury instructions to determine whether changes to the criminal jury instructions are required. Releases presented to Judicial Council for approval in March 2024 and September 2024.
2.	Maintenance—Comments From Users: Reviewed comments received from jury instruction users and propose any necessary changes and improvements. Releases presented to Judicial Council for approval in March 2024 and September 2024.
3.	New Instructions and Expansion into New Areas: Reviewed new legislation and case law and suggestions received from jury instruction users and proposed new criminal jury instructions as appropriate. Releases presented to Judicial Council for approval in March 2024 and September 2024.
4.	Technical Corrections: Made necessary corrections or editing changes to the jury instructions. Releases presented to Judicial Council for approval in March 2024 and September 2024.