



Judicial Council of California

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MEMORANDUM

Date

February 18, 2025

Action Requested

Review and Approve

To

Members of the Court Executives Advisory
Committee

Deadline

N/A

From

Jake Chatters, Chair
Judicial Branch Statistical Information
System Subcommittee

Contact

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Subject

Amend CM-010, Civil Case Cover Sheet

Executive Summary

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

Recommendation

The JBSIS Subcommittee recommends that the Court Executives Advisory Committee (CEAC) approve the additions of “Asbestos” and “Employment Development Department” as case categories to the civil case cover sheet. If approved, the existing “Asbestos” sub-case type would be removed from the “Other PI/PD/WD Tort” case category. Also, to conform with the structure

of the Civil Case Cover Sheet, sub-case types called “Asbestos” and “EDD Decision Review” would be established.

A draft of the amended civil case cover sheet is provided on page 4.

Background

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 the Civil Limited and Civil Unlimited reports, specifically Asbestos and Employment Development Department (EDD). 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 categories, which contain specific sub-case types to describe the nature of the lawsuit more accurately. Item 1 contains the following case 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 categories in the Civil Case Cover Sheet. Thus, JBSIS reflects civil data at the level of case 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 currently a sub-case type under the “Other PI/PD/WD Tort” case category. EDD is captured indirectly under the “Other employment” sub-case type of the “Employment” case category. Because JBSIS does not distinguish between sub-case types within case 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 Research, Analytics, and Data (RAD) team manually collects this data directly from courts for the Resource Assessment Study (RAS) and the Judicial Needs Assessment. By including asbestos

and EDD as case categories on the Civil Case Cover Sheet, JBSIS 4.0 can collect these data points, eliminating the need for manual data reporting by court staff.

JBSIS Subcommittee Discussion and Analysis

The JBSIS Subcommittee considered this matter during an action-by-email from January 27 to January 31, 2025. The Subcommittee voted unanimously to approve the proposal for consideration by CEAC.

Alternatives Considered

The Subcommittee did not consider alternatives to this proposal. Not approving the recommendation would require courts to continue to provide these data points manually.

Fiscal and Operational Impacts

Amendment of the Civil Case Cover Sheet would require coordination between the Judicial Council (JC), the courts, and case management system (CMS) vendors to ensure that the new case categories are correctly mapped in the CMSes, and that the new case categories are configured in Judicial Council data reporting. Under the current JBSIS 3.0 standards, the Asbestos case category would continue to map to the “Other PI/PD/WD” JBSIS case type, and the “Employment Development Department” case category would continue to map to the “Employment” JBSIS case type. Under the upcoming JBSIS 4.0 standards, each case category would map to the new JBSIS case types of “Asbestos” and “Employment Development Department,” respectively. The changes to Judicial Council data reporting and to CMS case mappings will be wrapped into the upcoming JBSIS 4.0 when it is implemented.

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	STATE BAR NUMBER: STATE: ZIP CODE: FAX NO.:	FOR COURT USE ONLY DRAFT Not approved by the Judicial Council 2024-12-18
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CASE NAME:		
CIVIL CASE COVER SHEET <input type="checkbox"/> Unlimited (Amount demanded exceeds \$35,000) <input type="checkbox"/> Limited (Amount demanded is \$35,000 or less)		
Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)		CASE NUMBER: JUDGE: DEPT.:

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46)	Employment Development Department <input type="checkbox"/> EDD Decision Review (48)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)
Asbestos <input type="checkbox"/> Asbestos (04)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37)	Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20)
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23)	Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26)	Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42)
Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35)	Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38)	Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	

2. Is this case complex under rule 3.400 of the California Rules of Court? Yes No

If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties	d. <input type="checkbox"/> Large number of witnesses
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve	e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. <input type="checkbox"/> Substantial amount of documentary evidence	f. <input type="checkbox"/> Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply):

- a. monetary
- b. nonmonetary; declaratory or injunctive relief
- c. punitive

4. Number of causes of action (specify):

5. is this case a class action suit? Yes No

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

- Auto (22)–Personal Injury/Property Damage/
Wrongful Death
- Uninsured Motorist (46) *(if the case involves
an uninsured motorist claim subject to
arbitration, check this item instead of Auto)*

Asbestos

- Asbestos (04)
 - Asbestos Property Damage
 - Asbestos Personal Injury/Wrongful Death

**Other PI/PD/WD (Personal Injury/
Property Damage/Wrongful Death) Tort**

- Product Liability *(not asbestos or toxic/
environmental)* (24)
- Medical Malpractice (45)
 - Medical Malpractice–Physicians &
Surgeons
 - Other Professional Health Care
Malpractice
- Other PI/PD/WD (23)
 - Premises Liability (e.g., slip and fall)
 - Intentional Bodily Injury/PD/WD (e.g.,
assault, vandalism)
 - Intentional Infliction of Emotional Distress
 - Negligent Infliction of Emotional Distress
 - Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest)
(not civil harassment) (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
 - Legal Malpractice
 - Other Professional Malpractice *(not
medical or legal)*
- Other Non-PI/PD/WD Tort (35)

Employment

- Wrongful Termination (36)
- Other Employment (15)

Employment Development Department

- EDD Decision Review (48)
*(if the case involves an Employment
Development Department decision, check
this item instead of Wrongful Termination or
Other Employment)*

Contract

- Breach of Contract/Warranty (06)
 - Breach of Rental/Lease Contract *(not
unlawful detainer or wrongful eviction)*
 - Contract/Warranty Breach–Seller Plaintiff
(not fraud or negligence)
 - Negligent Breach of Contract/Warranty
 - Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book
accounts) (09)
 - Collection Case–Seller Plaintiff
- Other Promissory Note/Collections Case
- Insurance Coverage *(not provisionally
complex)* (18)
 - Auto Subrogation
 - Other Coverage
- Other Contract (37)
 - Contractual Fraud
 - Other Contract Dispute

Real Property

- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
 - Writ of Possession of Real Property
 - Mortgage Foreclosure
 - Quiet Title
 - Other Real Property *(not eminent
domain, landlord/tenant, or
foreclosure)*

Unlawful Detainer

- Commercial (31)
- Residential (32)
- Drugs (38) *(if the case involves illegal drugs,
check this item; otherwise, report as
Commercial or Residential)*

Judicial Review

- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
 - Writ–Administrative Mandamus
 - Writ–Mandamus on Limited Court Case
Matter
 - Writ–Other Limited Court Case Review
- Other Judicial Review (39)
 - Review of Health Officer Order
 - Notice of Appeal–Labor Commissioner
Appeals

**Provisionally Complex Civil Litigation (Cal.
Rules of Court Rules 3.400–3.403)**

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims
*(arising from provisionally complex case
type listed above)* (41)

Enforcement of Judgment

- Enforcement of Judgment (20)
 - Abstract of Judgment (Out of County)
 - Confession of Judgment *(non-domestic
relations)*
 - Sister State Judgment
 - Administrative Agency Award *(not unpaid
taxes)*
 - Petition/Certification of Entry of Judgment
on Unpaid Taxes
 - Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

- RICO (27)
- Other Complaint *(not specified above)* (42)
- Declaratory Relief Only Injunctive Relief
Only *(non-harassment)*
- Mechanics Lien
- Other Commercial Complaint Case *(non-
tort/non-complex)*
- Other Civil Complaint *(non-tort/non-
complex)*

Miscellaneous Civil Petition

- Partnership and Corporate Governance (21)
- Other Petition *(not specified above)* (43)
 - Civil Harassment
 - Workplace Violence
 - Elder/Dependent Adult Abuse
 - Election Contest
 - Petition for Name Change
 - Petition for Relief From Late Claim
 - Other Civil Petition