Criminal Law Advisory Committee
Annual Agenda —2026–2027
Approved by Rules Committee: October 22, 2026

I. COMMITTEE INFORMATION

Chair: Hon. Lisa Rodriguez, Chair, Judge, Superior Court of San Diego County; Hon. Alison Tucher, Vice-Chair, Presiding Justice of the Court of Appeal, First Appellate District, Third Division
Lead Staff: Deanna Adams, Attorney, Criminal Justice Services

Advisory Body's Charge/Membership:

Rule 10.42(a) of the California Rules of Court states the charge of the Criminal Law Advisory Committee, which is to make recommendations to the Judicial Council for improving the administration of justice in criminal proceedings.

Rule 10.42(b) sets forth the membership categories of the committee. The Criminal Law Advisory Committee currently has 21 voting members. The current advisory body roster is available on the advisory body's webpage.

Subgroups of the Advisory Body:

1. Pretrial Policy and Data Subcommittee
2. Joint Mental Health Legislation Subcommittee (with the Collaborative Justice Courts Advisory Committee)

Advisory Body and Subgroup Meetings Planned for 2026–2027:

- October, November, December 2026 (remote meetings to discuss rule and form proposals)
- January 2027 (in-person annual meeting to discuss rule and form proposals and pending legislation)
- February, March 2027 (remote meetings to discuss rule and form proposals and pending legislation)
- April, May, June 2027 (remote meetings to discuss pending legislation)
- July 2027 (remote meeting to discuss rule and form proposals and pending legislation)
- August, September, October 2027 (remote meetings to discuss pending legislation)
- November, December 2027 (remote meetings to discuss rule and form proposals and recently enacted legislation)
- Other remote meetings as needed

Subcommittee Meetings:

- Pretrial Policy and Data Subcommittee: remote meetings as needed to work on rule and form proposals and review proposed legislation
- Joint Mental Health Legislation Subcommittee: remote meetings as needed from February through September to review proposed legislation

☐ Check here if more than one in-person meeting is approved by the internal committee oversight chair.

II. COMMITTEE PROJECTS

Priority Levels and Branch Goals Key

Priority Levels for Non-Rules/Forms
1 – Must be done
2 – Should be done

Priority Levels for Rules/Forms Proposals
1a (Legal Compliance) – Proposal urgently needed to conform to or accurately reflect the law.

1b (Council Directive) – Council has directed the committee to consider new or amended rules and forms.

1c (Urgent Remedial Action) – Change is urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public.

1d (Financial/ Legal Risk Mitigation) – Proposal is otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk.

2a (Useful Changes in Law) – Useful, but not necessary, to implement changes in law.

2b (Responsive to Concerns) – Responsive to identified concerns or problems.

2c (Helpful Advancing Branch Goals) – Helpful in otherwise advancing Judicial Council goals and objectives

Judicial Branch Strategic Plan–Branch Goals

I. Access, Fairness, Diversity, and Inclusion
II. Independence and Accountability
III. Modernization of Management and Administration
IV. Quality of Justice and Service to the Public
V. Education for Branchwide Professional Excellence
VI. Branchwide Infrastructure for Service Excellence
VII. Adequate, Stable, and Predictable Funding for a Fully Functioning Branch

New or One-Time Projects

1. ***Project Title*: *Revise criminal protective orders to implement statutory changes (one-time)***

   Priority: 1a

   Supported Strategic Plan Branch Goals:

I. Access	II. Independence	III. Modernization	IV. Quality	V. Education	VI. Infrastructure	VII. Funding
☐	☐	☒	☒	☐	☐	☐

   Project Summary: This project will incorporate statutory changes extending the category of protected persons and/or protective order terms to existing criminal protective orders, including AB 2261 (Stats. 2026, ch. 595), and implement AB 1753 (Stats. 2026, ch. 458) as it relates to the issuance of a criminal protective order in a hate crime-related case. The committee will also consider requests from the public and committee members to (1) clarify procedures for terminating a pretrial protective order when replaced by a postconviction order; (2) consider removing or removing relinquishment compliance items that were added, effective January 1, 2026, to implement AB 2907 (Stats. 2024, ch. 538) and Senate Bill 899 (Stats. 2024, ch. 544); and (3) align who may be included as a protected person in a postconviction order with relevant caselaw.

   Status/Timeline: Invitation to comment planned for spring 2027, for an anticipated effective date of January 1, 2028.

   Fiscal Impact/Staff Resources: Committee staff will prepare the revised forms, Legal Services staff will complete legal and drafting review.

   ☐ Check this box if this project may result in an allocation or distribution of funds to the courts. *Advisory body staff will coordinate with Budget Services to ensure its review of relevant materials.*

   Internal/External Stakeholders: Trial courts, justice system partners

   AC Collaboration: Civil and Small Claims Advisory Committee, Family and Juvenile Law Advisory Committee

2. ***Project Title*: *Amend mental competency rules of court to implement statutory changes (one-time)***

   Priority: 1a

   Supported Strategic Plan Branch Goals:

I. Access	II. Independence	III. Modernization	IV. Quality	V. Education	VI. Infrastructure	VII. Funding
☐	☐	☒	☒	☐	☐	☐

Project Summary: This project will incorporate statutory changes to the rules on competency to stand trial, including changes under Assembly Bill 46 (Stats. 2026, ch. 18), which changed suitability determinations for mental health diversion, and Senate Bill 820 (Stats. 2025, ch. 330), which allows a psychiatrist or licensed psychologist's opinion on the defendant's capacity to make decisions regarding antipsychotic medication to apply to misdemeanor cases. The committee may consider a request from a member of the public to add procedural safeguards to the competency to stand trial rules aimed at reducing exploitation risks for people subject to a competency proceeding.

Status/Timeline: Invitation to comment planned for spring 2027, for an anticipated effective date of January 1, 2028.

Fiscal Impact/Staff Resources: Committee staff will prepare amended rules, Legal Services staff will complete legal and drafting review.

☐ Check this box if this project may result in an allocation or distribution of funds to the courts. *Advisory body staff will coordinate with Budget Services to ensure its review of relevant materials.*

Internal/External Stakeholders: Trial courts, justice system partners

AC Collaboration: None

3. ***Project Title*: *Revise forms related to victim restitution***

Priority: 1a

Supported Strategic Plan Branch Goals:

I. Access	II. Independence	III. Modernization	IV. Quality	V. Education	VI. Infrastructure	VII. Funding
☐	☐	☒	☒	☐	☐	☐

Project Summary: This project will implement statutory changes under Assembly Bill 2297 (Stats. 2026, ch. 841), which clarifies that victim restitution must be ordered when a defendant participates in a diversion program, requiring changes to *Order for Victim Restitution* (form CR-110/JV-790) and the corresponding instruction form (CR-112/JV-792). This project will also clarify victim restitution orders for defendants sentenced to state prison based on a suggestion from the California Department of Corrections and Rehabilitation (CDCR). This may include updates to form CR-110 and several abstract of judgment forms. The committee may also consider further revisions to update the abstract of judgment forms, which have not been substantively revised since criminal justice realignment.

Status/Timeline: Invitation to comment planned for spring 2027, for an anticipated effective date of January 1, 2028.

Fiscal Impact/Staff Resources: Committee staff will prepare revised forms, Legal Services staff will complete legal and drafting review.

☐ Check this box if this project may result in an allocation or distribution of funds to the courts. *Advisory body staff will coordinate with Budget Services to ensure its review of relevant materials.*

Internal/External Stakeholders: Trial courts, justice system partners, CDCR

AC Collaboration: None

4. ***Project Title*: *Amend California Rules of Court, rule 4.421, on circumstances in aggravation (one-time)***

Priority: 1c

Supported Strategic Plan Branch Goals:

I. Access	II. Independence	III. Modernization	IV. Quality	V. Education	VI. Infrastructure	VII. Funding
☐	☐	☒	☒	☐	☐	☐

Project Summary: The committee may consider revising the aggravating factors in California Rules of Court, rule 4.421 to reflect jury consideration of these factors when an upper term is sought under Senate Bill 567 (Stats. 2021, ch. 731).

Status/Timeline: Invitation to comment planned for spring 2027, for an anticipated effective date of January 1, 2028.

Fiscal Impact/Staff Resources: Committee staff will prepare amended rules, Legal Services staff will complete legal and drafting review.

☐ Check this box if this project may result in an allocation or distribution of funds to the courts. *Advisory body staff will coordinate with Budget Services to ensure its review of relevant materials.*

Internal/External Stakeholders: Trial courts, justice system partners

AC Collaboration: None

5. ***Project Title*: *Develop ability to pay tools (one-time)***

Priority: 1c

Supported Strategic Plan Branch Goals:

I. Access	II. Independence	III. Modernization	IV. Quality	V. Education	VI. Infrastructure	VII. Funding
☐	☐	☐	☒	☐	☐	☐

Project Summary: The project will develop ability to pay tools in light of *People v. Kopp* (2025) 19 Cal. 5th 1, requiring a court to consider a defendant's inability to pay specified post-conviction ancillary costs, and *In re Kowalczyk* (2026) 19 Cal. 5th 593, requiring a court to assess a defendant's ability to pay monetary bail.

Status/Timeline: Invitation to comment planned for spring 2027, for an anticipated effective date of January 1, 2028.

Fiscal Impact/Staff Resources: Committee staff will prepare rules and forms, Legal Services staff will complete legal and drafting review.

☐ Check this box if this project may result in an allocation or distribution of funds to the courts. *Advisory body staff will coordinate with Budget Services to ensure its review of relevant materials.*

Internal/External Stakeholders: Trial courts, justice system partners

AC Collaboration: None

6. ***Project Title*: *Protective Orders (new)***

Priority: 1

Supported Strategic Plan Branch Goals:

I. Access	II. Independence	III. Modernization	IV. Quality	V. Education	VI. Infrastructure	VII. Funding
☒	☐	☒	☒	☐	☐	☐

Project Summary: Work with other advisory groups as appropriate to ensure protective order forms are written in consistent language that is comprehensible to non-attorneys, while maintaining legal accuracy.

Status/Timeline: Ongoing

Fiscal Impact/Staff Resources: Committee staff; staff from Legal Services and Center for Families, Children and the Courts, as applicable

☐ Check this box if this project may result in an allocation or distribution of funds to the courts. *Advisory body staff will coordinate with Budget Services to ensure its review of relevant materials.*

Internal/External Stakeholders: N/A

AC Collaboration: Civil and Small Claims Advisory Committee and Family and Juvenile Law Advisory Committee, as applicable

Ongoing Projects and Activities

1. ***Project Title*: *Pretrial release implementation through rules and forms***

   Priority: 1a

   Supported Strategic Plan Branch Goals:

I. Access	II. Independence	III. Modernization	IV. Quality	V. Education	VI. Infrastructure	VII. Funding
☐	☐	☒	☒	☐	☐	☐

   Project Summary: The committee will consider developing rule and form proposals on pretrial release or detention, such as providing guidance on implementing the holdings of *In re Humphrey* (2021) 11 Cal.5th 135, *In re Kowalczyk* (2026) 19 Cal.5th 593, and related cases, the imposition of pretrial release conditions, and determining a defendant's ability to pay.

   Status/Timeline: Invitation to comment planned for spring 2027, for an anticipated effective date of January 1, 2028.

   Fiscal Impact/Staff Resources: Committee staff, Criminal Justice Services Pretrial unit staff, Legal Services staff

   ☐ Check this box if this project may result in an allocation or distribution of funds to the courts. *Advisory body staff will coordinate with Budget Services to ensure its review of relevant materials.*

   Internal/External Stakeholders: Trial courts, justice system partners

   AC Collaboration: None

2. ***Project Title*: *Pretrial release implementation through court outreach***

   Priority: 1

   Supported Strategic Plan Branch Goals:

I. Access	II. Independence	III. Modernization	IV. Quality	V. Education	VI. Infrastructure	VII. Funding
☐	☐	☐	☒	☐	☐	☐

Project Summary: Consistent with the committee's charge to improve administration of justice in criminal proceedings and related to the committee's ongoing work on pretrial release rules and forms, the committee will provide subject matter expertise for the Judicial Council's Criminal Justice Services Pretrial unit to promote consistent implementation of pretrial release or detention decisions statewide.

Status/Timeline: Ongoing

Fiscal Impact/Staff Resources: Committee staff, Criminal Justice Services staff

☐ Check this box if this project may result in an allocation or distribution of funds to the courts. *Advisory body staff will coordinate with Budget Services to ensure its review of relevant materials.*

Internal/External Stakeholders: Trial courts

AC Collaboration: None

3. ***Project Title*: *Review pending legislation***

Priority: 1

Supported Strategic Plan Branch Goals:

I. Access	II. Independence	III. Modernization	IV. Quality	V. Education	VI. Infrastructure	VII. Funding
☐	☒	☐	☐	☐	☐	☐

Project Summary: The committee will review pending criminal law legislation and provide recommendations as to whether the Judicial Council should support or oppose the legislation. The committee will provide subject matter expertise on pending criminal law legislation.

Status/Timeline: Ongoing

Fiscal Impact/Staff Resources: Governmental Affairs, committee staff

☐ Check this box if this project may result in an allocation or distribution of funds to the courts. *Advisory body staff will coordinate with Budget Services to ensure its review of relevant materials.*

Internal/External Stakeholders: None

AC Collaboration: Joint Mental Health Legislation Subcommittee (with Collaborative Justice Courts Advisory Committee)

4. ***Project Title*: *Review enacted legislation***

Priority: 1

Supported Strategic Plan Branch Goals:

I. Access	II. Independence	III. Modernization	IV. Quality	V. Education	VI. Infrastructure	VII. Funding
☐	☐	☐	☒	☐	☐	☐

Project Summary: Review all enacted legislation referred to the committee by the Judicial Council's Governmental Affairs staff to determine whether it raises issues within the advisory committee's purview and whether amendments to the rules of court or revisions to Judicial Council forms are needed to implement the legislation or to bring rules and forms into conformity with it.

Status/Timeline: Ongoing

Fiscal Impact/Staff Resources: Committee staff

☐ Check this box if this project may result in an allocation or distribution of funds to the courts. *Advisory body staff will coordinate with Budget Services to ensure its review of relevant materials.*

Internal/External Stakeholders: To be determined

AC Collaboration: To be determined

5. ***Project Title*: *Provide subject matter expertise for other advisory committees***

Priority: 1

Supported Strategic Plan Branch Goals:

I. Access	II. Independence	III. Modernization	IV. Quality	V. Education	VI. Infrastructure	VII. Funding
☐	☐	☐	☒	☐	☐	☐

Project Summary: The committee will provide subject matter expertise for the Judicial Council and other advisory committees working on proposals involving criminal law and procedure.

Status/Timeline: Ongoing

Fiscal Impact/Staff Resources: Committee staff

☐ Check this box if this project may result in an allocation or distribution of funds to the courts. *Advisory body staff will coordinate with Budget Services to ensure its review of relevant materials.*

Internal/External Stakeholders: None

AC Collaboration: Respective advisory committees

6. ***Project Title*: *Gender neutrality in rules and forms***

Priority: 1

Supported Strategic Plan Branch Goals:

I. Access	II. Independence	III. Modernization	IV. Quality	V. Education	VI. Infrastructure	VII. Funding
☐	☐	☒	☒	☐	☐	☐

Project Summary: As rules are amended and forms are revised for independent reasons, the committee will continue to review and, when possible, replace gender-specific terms or gender identity questions to conform to legislation providing for gender neutrality and nonbinary gender identity.

Status/Timeline: Ongoing

Fiscal Impact/Staff Resources: Committee staff

☐ Check this box if this project may result in an allocation or distribution of funds to the courts. *Advisory body staff will coordinate with Budget Services to ensure its review of relevant materials.*

Internal/External Stakeholders: None

AC Collaboration: None

7. ***Project Title*: *Miscellaneous technical changes to rules and forms***

Priority: 1a

Supported Strategic Plan Branch Goals:

I. Access	II. Independence	III. Modernization	IV. Quality	V. Education	VI. Infrastructure	VII. Funding
☐	☐	☒	☒	☐	☐	☐

Project Summary: Develop rule and form changes as necessary to make corrections and adjustments meeting the criteria of rule 10.22(d)(2): "a nonsubstantive technical change or correction or a minor substantive change that is unlikely to create controversy….".

Status/Timeline: Ongoing

Fiscal Impact/Staff Resources: Committee staff, Legal Services staff

☐ Check this box if this project may result in an allocation or distribution of funds to the courts. *Advisory body staff will coordinate with Budget Services to ensure its review of relevant materials.*

Internal/External Stakeholders: None

AC Collaboration: None

8. ***Project Title*: *Update Judicial Council form content to enhance accessibility***

Priority: 2a

Supported Strategic Plan Branch Goals:

I. Access	II. Independence	III. Modernization	IV. Quality	V. Education	VI. Infrastructure	VII. Funding
☒	☐	☒	☒	☐	☐	☐

Project Summary: As forms are developed or updated, the committee will continue to enhance accessibility features. Updates may include reordering or rephrasing items to improve useability and revising forms to clarify instructions, headings, or form field descriptions (i.e., labels).

Status/Timeline: Ongoing

Fiscal Impact/Staff Resources: Committee staff

☐ Check this box if this project may result in an allocation or distribution of funds to the courts. *Advisory body staff will coordinate with Budget Services to ensure its review of relevant materials.*

Internal/External Stakeholders: Courts and court users; all draft proposals will circulate for public comment.

AC Collaboration: As appropriate based on the affected forms.

III. LIST OF 2025–2026 PROJECT ACCOMPLISHMENTS

Project Highlights and Achievements

1. ***Revise the felony plea form.*** At its April 2026 meeting, the Judicial Council approved revisions to the felony plea form (CR-101) recommended by the advisory committee to implement SB 281 (Stats. 2025, ch. 666), which requires courts to use the verbatim language of the immigration advisement in Penal Code section 1016.5(a). The form became effective July 1, 2026.
2. ***Amend rules and revise forms to implement AB 1071.*** At its April 2026 meeting, the Judicial Council approved amendments to rules of court and revisions to forms recommended by the advisory committee to implement AB 1071 (Stats. 2025, ch. 721), which revised and clarified procedures under Penal Code section 745. The amended rules and revised forms became effective July 1, 2026.
3. ***Amend sentencing rules of court to conform with recent law.*** At its October 2026 meeting, the Judicial Council approved amendments to rules of court on felony sentencing recommended by the advisory committee to conform with recent case law and statutory changes. The amendments become effective January 1, 2027.
4. ***Implement consistent and clear procedures for sealing court records.*** The committee anticipates recommending a legislative proposal for Judicial Council approval at the council's December 2026 meeting that would seek to promote clarity and consistency in the process for sealing arrest records when relief is granted under a record clearing statute. At its October 2026 meeting, the Judicial Council approved revisions to the *Order for Dismissal (Military Personnel)* form recommended by the advisory committee to remove an item directing courts to forward sealing orders to the Department of Justice. The revision becomes effective January 1, 2027.
5. ***Develop procedures for affordable bail determination and pretrial release processes.*** At its October 2026 meeting, the Judicial Council approved revisions to a pretrial release or detention form recommended by the advisory committee to implement recent case law. The revisions become effective January 1, 2027.
6. ***Review pending legislation.*** The committee provided subject matter expertise or a recommended position on 33 criminal law bills, including: **AB 910**, Criminal procedure: sentencing; **AB 1538**, Crimes: corruption; **AB 1595**, Criminal procedure: writs of habeas corpus and motions to vacate; **AB 1656**, Human trafficking case continuances; **AB 1917**, Criminal procedure: information; **AB 2104**, Sexually violent predators; **AB 2502**, Driving under the influence: driving automation; **SB 562**, Bail; **SB 1056**, Criminal procedure; **SB 1173**, Jury instructions: lesser related offenses; **SB 1395**, Criminal procedure: protective orders; and **SB 1401**, Criminal procedure: competence to stand trial.
7. ***Criminal justice and mental health.*** The committee reviewed pending legislation related to criminal justice and mental health and provided recommendations as to whether the Judicial Council should support or oppose the legislation. Pending legislation included: **AB 46**, Diversion; **AB 2275**, Mental health diversion; and **SB 1373**, Diversion. Committee members participated in a joint subcommittee on mental health legislation with members of the Collaborative Justice Courts Advisory Committee.