

# Family and Juvenile Law Advisory Committee Meeting

**Call In Number: 877.820.7831**

**Listen Only Passcode: 3059688**

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FEBRUARY 18, 2016

10:00 A.M. - 4:00 P.M.

SAN FRANCISCO, CA



JUDICIAL COUNCIL  
OF CALIFORNIA

OPERATIONS AND PROGRAMS DIVISION  
CENTER FOR FAMILIES, CHILDREN & THE COURTS

# **FAMILY AND JUVENILE LAW ADVISORY COMMITTEE MEETING**

**February 18, 2016**

**Judicial Council Boardroom, 3rd Floor  
San Francisco, California**

## **Agenda**

### **Joint Meeting:**

10:00-11:00 a.m. and 3:15-4:00 p.m.  
877.820.7831 Listen Only Passcode: **3059688**

### **Family Law Issues:**

11:00 a.m. – 3:00 p.m.  
877.820.7831 Listen Only Passcode: **1456449**

### **Juvenile Law Issues:**

11:00 a.m. – 3:00 p.m.  
877.820.7831 Listen Only Passcode: **3059688**

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|-----------------------|---|
| 10:00 – 10:15 a.m.    | Welcome<br><i>Hon. Jerilyn L. Borack, Cochair</i><br><i>Hon. Mark A. Juhas, Cochair</i><br><i>Ms. Audrey Fancy, Cocounsel</i><br><i>Ms. Julia Weber, Cocounsel</i>  |
| 10:15 – 10:30 a.m.    | Public Comment  |
| 10:30 – 10:35 a.m.    | Review and Discussion of the 2016 Annual Agenda<br><i>Hon. Jerilyn L. Borack</i><br><i>Hon. Mark A. Juhas</i>   |
| 10:35 – 10:40 p.m.    | Update on Commission on the Future of California’s Court System:<br>Family and Juvenile Law Proposed Concepts<br><i>Hon. Mark A. Juhas</i>  |
| 10:40 – 10:50 a.m.    | Legislative Update and Discuss Pending Bills<br><i>Hon. Jerilyn L. Borack</i><br><i>Hon. Mark A. Juhas</i>  |
| 10:50 – 11:00 a.m.    | <i>Families Change</i> Presentation and Next Steps<br><i>Ms. Julia Weber</i><br><i>Ms. Bonnie Hough</i>   |
| 11:00a.m. – 3:15 p.m. | Family Law Issues<br>Juvenile Law Issues<br>(See Attached Agendas)  |
| 3:15 – 3:35 p.m.      | Southern California Intercounty Transfer eCase eXchange Demonstration<br><i>Hon. Carolyn M. Caietti, Judge, Superior Court of San Diego County</i><br><i>Ms. Carrie Snuggs, Family Law &amp; Juvenile Director, Superior Court of<br/>Riverside County</i><br><i>Mr. Travis Trapp, Management Analyst, Superior Court of Los Angeles<br/>County</i> |
| 3:35 – 4:00 p.m.      | Information Exchange of Issues Discussed at Breakouts (All)   |
| 4:00 p.m.             | Adjourn   |

## Family Law Issues

JCCC Boardroom, 3rd Floor

- 11:00 – 12:00 noon AB 1058 Allocation Methodology: Next Steps  
*Ms. Alisha Griffin (calling in), Director, California Department of Child Support Services*  
*Ms. Anna Maves, Supervising Attorney, Center for Families, Children & the Courts (CFCC)*
- 12:00 – 12:20 p.m. **Working Lunch:** Approval of Training Providers and Review of Available Training
- 12:20 – 12:50 p.m. Family Court Services Forms  
*Mr. Robert Bayer, Court Program Manager, Superior Court Ventura County*  
*Ms. Julia Weber, Supervising Attorney, CFCC*
- 12:50 – 1:10 p.m. Appellate Opinions: Family Law Information  
*Hon. Mark A. Juhas*  
*Ms. Julia Weber*
- 1:10 – 1:30 p.m. Criminal Background Information in Custody Cases  
*Hon. Mark A. Juhas*  
*Ms. Julia Weber*
- 1:30 – 1:55 p.m. Domestic Violence RUPRO Proposals  
*Ms. Frances Ho, Attorney, CFCC*
- 1:55 – 2:30 p.m. *Limited Scope Proposal*  
*Hon. Mark A. Juhas*  
*Ms. Bonnie Hough, Principal Managing Attorney, CFCC*  
*Ms. Gabrielle Selden, Attorney, CFCC*  
*Ms. Sue Talia, Private Attorney, Contra Costa County*
- 2:30 – 2:45 p.m. Family Law Related Project Updates and Special Immigrant Juvenile Status Discussion  
*Mr. Corby Sturges, Attorney, CFCC*  
*Ms. Bonnie Hough*
- 2:45 – 3:00 p.m. Modernization Discussion  
*Hon. Mark A. Juhas*
- 3:00 – 3:15 p.m. **Break**

## Juvenile Law Issues

JCCC Redwood A/B, 3rd Floor

- 11:10 – 11:20 a.m. Proposed Competency Legislation  
*Hon. Patrick E. Tondreau, Judge, Superior Court of Santa Clara County*  
*Ms. Audrey Fancy, Supervising Attorney, CFCC*
- 11:20 – 12 noon Proposition 47 Implementation in Juvenile Court  
*Ms. Audrey Fancy*  
*Ms. Francine Byrne, Manager, Criminal Justice Services*
- 12 noon – 12:20 p.m. Working Lunch-- Review of Annual Agenda Items (All)
- 12:20 – 12:50 p.m. Court Appointed Counsel/Funding Allocation Methodology Joint Subcommittee Update  
*Hon. Jerilyn L. Borack*  
*Mr. Don Will, Principal Manager, CFCC*
- 12:50 – 1:20 p.m. Modernization: Possible Delinquency Legislation  
*Ms. Diana Glick, Attorney, CFCC*  
*Ms. Tara Lundstrom, Attorney, Legal Services Office*

1:20 – 2:45 p.m.

Juvenile Law Rules and Forms:

- Sealing Delinquency Records  
*Hon. Carolyn M. Caietti, Judge, Superior Court of San Diego County*  
*Ms. Tracy Kenny, Attorney, Office of Governmental Affairs*
- Intercounty Transfer  
*Hon. Carolyn M. Caietti*  
*Ms. Nicole Giacinti, Attorney, CFCC*
- Psychotropic Medication  
*Hon. Jerilyn L. Borack*  
*Ms. Kerry Doyle, Attorney, CFCC*

2:45 – 3:00 p.m.

Emerging issues (All)

- Congregate Care Reform
- Mental Health Issues Implementation Task Force: Final Report

3:00 – 3:15 p.m.

**Break**

# **Family and Juvenile Law Advisory Committee**

Effective November 1, 2015 (Rev. 1/7/16)

**Hon. Jerilyn L. Borack, Co-Chair**

Judge of the Superior Court of California,  
County of Sacramento

**Hon. Carol D. Codrington**

Associate Justice of the Court of Appeal  
Fourth Appellate District, Division Two

**Hon. Mark A. Juhas, Co-Chair**

Judge of the Superior Court of California,  
County of Los Angeles

**Hon. Michael J. Convey**

Judge of the Superior Court of California,  
County of Los Angeles

**Hon. Sue Alexander**

Commissioner of the Superior Court of California,  
County of Alameda

**Ms. Mary Majich Davis**

Chief Deputy Court Executive Officer  
Superior Court of California,  
County of San Bernardino

**Hon. Craig E. Arthur**

Judge of the Superior Court of California,  
County of Orange

**Ms. Sylvia Deporto**

Deputy Director Family and Children's Services  
City and County of San Francisco  
Human Services Agency

**Mr. Robert J. Bayer**

Court Program Manager  
Superior Court of California,  
County of Ventura

**Ms. Christine N. Donovan**

Senior Staff Attorney  
Superior Court of California,  
County of Solano

**Hon. Louise Bayles-Fightmaster**

Commissioner of the  
Superior Court of California,  
County of Sonoma

**Hon. Michael Gassner**

Commissioner of the  
Superior Court of California,  
County of San Bernardino

**Hon. C. Todd Bottke**

Assistant Presiding Judge of the  
Superior Court of California,  
County of Tehama

**Hon. Suzanne Gazzaniga**

Judge of the Superior Court of California,  
County of Placer

**Mr. Brian Briggs**

Deputy County Counsel  
Tehama County Counsel

**Hon. Maureen F. Hallahan**

Judge of the Superior Court of California,  
County of San Diego

**Hon. Carolyn M. Caietti**

Judge of the Superior Court of California,  
County of San Diego

# **Family and Juvenile Law Advisory Committee**

Effective November 1, 2015 (Rev. 1/7/16)

**Ms. Leslie Heimov**  
Executive Director  
Children's Law Center of California

**Ms. Rebecca L. Ross**  
Attorney  
Superior Court of California,  
County of San Mateo

**Mr. John Daniel Hodson**  
Attorney  
Hodson & Mullin Attorneys at Law

**Mr. Jim Salio**  
Chief Probation Officer  
San Luis Obispo County Probation Department

**Ms. La Ron Hogg Haught**  
Deputy District Attorney  
Santa Clara County District Attorney's Office

**Ms. Sudha Shetty**  
Assistant Dean  
Goldman School of Public Policy at UC Berkeley

**Ms. Kathleen L. Hrepich**  
Deputy Director and Chief Counsel  
Department of Child Support Services

**Hon. B. Scott Thomsen**  
Assistant Presiding Judge of the Superior Court of  
California, County of Nevada

**Ms. Sharon M. Lawrence**  
Executive Director  
Voices for Children, Inc.

**Hon. Patrick E. Tondreau**  
Judge of the Superior Court of California,  
County of Santa Clara

**Ms. Patricia Lee**  
Managing Attorney  
San Francisco Public Defender's Office

**Hon. Heidi K. Whilden**  
Judge of the Superior Court of California,  
County of Monterey

**Hon. Cindee F. Mayfield**  
Judge of the Superior Court of California,  
County of Mendocino

**Ms. Alicia Valdez Wright, Esq.**  
Family Law Facilitator  
Self-Help Center  
Superior Court of California,  
County of San Luis Obispo

**Hon. Kimberly J. Nystrom-Geist**  
Judge of the Superior Court of California,  
County of Fresno

**Hon. Daniel Zeke Zeidler**  
Judge of the Superior Court of California,  
County of Los Angeles

**Hon. Jaime R. Román**  
Judge of the Superior Court of California,  
County of Sacramento

# **Family and Juvenile Law Advisory Committee**

Effective November 1, 2015 (Rev. 1/7/16)

## **CJER GOVERNING COMMITTEE**

### **LIAISON**

#### **Hon. Janet Gaard**

Assistant Presiding Judge of the  
Superior Court of California,  
County of Yolo

## **OFFICE OF GOVERNMENTAL AFFAIRS**

### **LIAISON**

#### **Mr. Alan Herzfeld**

Legislative Advocate  
Governmental Affairs  
Judicial Council of California

## **JUDICIAL COUNCIL STAFF TO THE COMMITTEE**

#### **Ms. Audrey Fancy (JV), Lead Staff**

Supervising Attorney  
Center for Families, Children & the Courts  
Judicial Council of California

#### **Ms. Julia Weber (FM), Lead Staff**

Supervising Attorney  
Center for Families, Children & the Courts  
Judicial Council of California

#### **Ms. Carolynn Bernabe**

Administrative Coordinator  
Center for Families, Children & the Courts  
Judicial Council of California

**Family and Juvenile Law Advisory Committee**  
**Annual Agenda—2016**  
**Approved by RUPRO: 12/10/15**

1. **ADVISORY BODY INFORMATION**

<b>Chair:</b>	Hon. Jerilyn Borack and Hon. Mark A. Juhas, Co-chairs
<b>Staff:</b>	Ms. Audrey Fancy and Ms. Julia Weber, Co-counsel; Ms.Carolynn Bernabe, Senior Administrative Coordinator, Center for Families, Children & the Courts
<b>Advisory Body’s Charge:</b> Makes recommendations to the Judicial Council for improving the administration of justice in all cases involving marriage, family, or children. [Rule 10.43]	
<b>Advisory Body’s Membership:</b> 34 members with 1 appellate court justice; 18 trial court judicial officers; 1 judicial administrator; 1 child custody mediator; 3 lawyers whose primary area of practice is family law; 1 lawyer specializing in governmental child support; 1 domestic violence prevention advocate; 1 chief probation officer; 1 child welfare director; 1 court appointed special advocate director; 1 county counsel assigned to juvenile dependency; 1 district attorney assigned to juvenile delinquency; 1 public-interest children’s rights lawyer; 2 lawyer from public or private defender’s office whose primary area is juvenile law.	
<p><b>Subgroups/Working Groups<sup>1</sup>:</b></p> <p>The following have been established with approval from, or direction by, the Judicial Council or its internal advisory bodies (Rules and Project Committee or Executive and Planning):</p> <ul style="list-style-type: none"> <li>• Protective Order Forms Working Group (POWG)</li> <li>• Violence Against Women Education Program (VAWEP)<sup>2</sup></li> <li>• Joint Juvenile Competency Issues Working Group</li> <li>• Child Support Commissioner and Family Law Facilitator Program Allocation Methodology Joint Subcommittee</li> <li>• Juvenile Dependency: Court-Appointed-Counsel Funding Allocation Methodology Joint Subcommittee</li> </ul>	

<sup>1</sup> California Rules of Court, rule 10.30 (c) allows an advisory body to form subgroups, composed entirely of current members of the advisory body, to carry out the body’s duties, subject to available resources, with the approval of its oversight committee.

<sup>2</sup> On August 22, 2014, the Judicial Council approved a recommendation from the Family and Juvenile Law Advisory Committee that VAWEP become a standing subcommittee of the Family and Juvenile Law Advisory Committee. The composition of VAWEP has been guided by grant requirements and advisory committee chair review. A copy of the council report is available here: <http://www.courts.ca.gov/documents/jc-20140822-itemE.pdf>



**Advisory Body’s Key Objectives for 2016:**

1. Provide recommendations to the Judicial Council on funding and allocation methods for specified legislatively mandated court-related programs.
2. Provide recommendations to the Judicial Council for changes to or new statewide rules and forms to enable the council to fulfill legislative mandates.
3. Coordinate with related advisory groups to fulfill council directives in the area of domestic violence, family law, and juvenile law.

**2. ADVISORY BODY PROJECTS**

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
1.	<p>As directed by the Judicial Council, the Office of Governmental Affairs provided the committee with the following legislative proposals that may have an impact on family and juvenile law issues within the advisory committee’s purview. Based on these referrals, the committee will review the legislation and propose rules and forms as may be appropriate for the council’s consideration.</p> <p><a href="#"><u>AB 217 (Maienschein) Juvenile law: hearings</u></a>  <i>Chapter 36, Statutes of 2015</i>  <u>Summary:</u> Requires a court to inform a minor of their right to address the court and participate in a hearing, if they so desire.</p>	1(a), (b), or (c)	<p>Judicial Council Direction: Committee charge under rule 10.43</p> <p>Origin of Project: Legislative mandate.</p> <p>Resources: Legal Services</p> <p>Key Objective Supported: 2, 3</p>	July 1, 2016 or January 1, 2017	Rules and forms, incorporating information in education and training programs, or information and analysis for council on why action on the council’s part may or may not be necessary.

<sup>3</sup> 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.

<sup>4</sup> 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 the law; 1(b) Urgently needed to respond to a recent change in the law; 1(c) Adoption or amendment of rules or forms by a specified date required by statute or council decision; 1(d) Provides significant cost savings and efficiencies, generates significant revenue, or avoids a significant loss of revenue; 1(e) Urgently needed to remedy a problem that is causing significant cost or inconvenience to the courts or the public; 1(f) Otherwise urgent and necessary, such as a proposal that would mitigate exposure to immediate or severe financial or legal risk; 2(a) Useful, but not necessary, to implement statutory changes; 2(b) Helpful in otherwise advancing Judicial Council goals and objectives.

<p><b><u>AB 260 (Lopez) Foster care: parenting youth</u></b>  <i>Chapter 36, Statutes of 2015</i>  <u>Summary:</u> Among other things, requires that a minor parent's placement history shall not be the sole reason for declaring a child a dependent of the court.</p> <p><b><u>AB 365 (Garcia, Christina) Child custody proceedings: testimony by electronic means</u></b>  <i>Chapter 69, Statutes of 2015</i>  <u>Summary:</u> If a party's participation in a child custody proceeding is impacted by an Immigration and Customs Enforcement detention or deportation, the court shall allow the party to present evidence and testimony, or participate in a child custody mediation, by electronic means, if such means are available to the court and will not impact the due process rights of other parties.</p> <p><b><u>AB 424 (Gaines) Court appointed child advocates: wards</u></b>  <i>Chapter 71, Statutes of 2015</i>  <u>Summary:</u> Expands the Court Appointed Special Advocate program to allow appointment of CASAs for any minor dependent, nonminor dependent, or ward who is subject to the jurisdiction of the juvenile court.</p> <p><b><u>AB 439 (Bloom) Protective orders: batterer's program</u></b>  <i>Chapter 72, Statutes of 2015</i>  <u>Summary:</u> Requires a restrained party ordered to participate in a batterer's program to register for the program by a specified deadline and to, at the time of enrollment, sign all necessary program consent forms for the program to release specified documents, including proof of enrollment, to the court and the protected party or his or her attorney.</p> <p><b><u>AB 494 (Maienschein) Restraining orders: protection of animals</u></b>  <i>Chapter 401, Statutes of 2015</i></p>				
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#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<p><u>Summary</u>: Allows a court to include granting to a protected party the exclusive care, possession, or control of an animal in a restraining or protective order, and allows a court to order a restrained party to stay away from and neither take nor harm an animal subject to the order.</p> <p><a href="#"><u>AB 536 (Bloom) Domestic violence: protective orders</u></a>  <i>Chapter 73, Statutes of 2015</i>  <u>Summary</u>: Requires each party seeking protection under the Domestic Violence Protection Act to present written evidence of abuse or domestic violence on an application for relief using a mandatory Judicial Council restraining order application form, and specifies that, for these purposes, written evidence of abuse or domestic violence in a responsive pleading does not satisfy the party’s obligation to present written evidence of abuse or domestic violence.</p> <p><a href="#"><u>AB 610 (Jones-Sawyer) Child support: suspension of support order</u></a>  <i>Chapter 629, Statutes of 2015</i>  <u>Summary</u>: Suspends a child support order by operation of law when an obligor is incarcerated or involuntarily institutionalized, unless the obligor has the means to pay support, or the obligor was incarcerated or involuntarily institutionalized for either an offense constituting domestic violence or the failure to pay child support.</p> <p><a href="#"><u>AB 666 (Stone) Juveniles: sealing of records</u></a>  <i>Chapter 368, Statutes of 2015</i>  <u>Summary</u>: When a juvenile record is sealed by the court, the court shall order the Department of Justice, any law enforcement</p>				

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
	<p>agencies, and the probation department to seal any records pertaining to the case. The court shall notify the subject of the order and his or her attorney that the records have been sealed. The bill exempts from this section any WIC §707(b) offenses committed after the minor turned 14 years old.</p> <p>Further limits future access to the sealed records to:</p> <ol style="list-style-type: none"> <li>(1) Prosecutors or probation departments for the purpose of determining eligibility for deferred entry of judgement or supervision.</li> <li>(2) The court to verify prior jurisdictional status of a ward seeking to resume court jurisdiction under WIC §388.</li> <li>(3) If a new petition has been filed against the minor for a felony, probation departments, for the purpose of determining the minor's eligibility or suitability for treatment programs or services.</li> <li>(4) The person whose is the subject of the sealed records.</li> <li>(5) When there is a subsequent adjudication against the minor, by probation, the prosecuting attorney, minor's counsel, or the court for the purpose of aiding the court in finding an appropriate disposition for the minor.</li> </ol> <p><b><u><a href="#">AB 703 (Bloom) Juveniles: attorney qualifications</a></u></b>  <i>Chapter 369, Statutes of 2015</i>  <u>Summary:</u> Among other things, requires counsel appointed in delinquency proceedings to have sufficient education or experience to satisfy minimum education requirements to be established by the Judicial Council.</p> <p><b><u><a href="#">AB 879 (Burke) Juveniles: court proceedings: notice</a></u></b>  <i>Chapter 219, Statutes of 2015</i>  <u>Summary:</u> Allows service of notice of hearings in specified dependency matters to be done by electronic mail, provided that</p>				

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<p>the county, court, and parties are all willing to accept service electronically.</p> <p><b><u>AB 989 (Cooper) Juveniles: sealing of records</u></b>  <i>Chapter 375, Statutes of 2015</i>  <u>Summary:</u> When a minor's records have been sealed and a new petition has been filed, limits access to the sealed records as follows:  (1) Prosecutors or probation departments for the purpose of determining eligibility for deferred entry of judgement or supervision.  (2) Probation departments, for the purpose of determining the minor's eligibility or suitability for treatment programs or services.  (3) The court to verify prior jurisdictional status of a ward seeking to resume court jurisdiction under WIC §388.  (4) Probation departments for the purpose of meeting Federal Title IV-E compliance.</p> <p><b><u>AB 1081 (Quirk) Protective orders</u></b>  <i>Chapter 411, Statutes of 2015</i>  <u>Summary:</u> Amends protective and restraining order statutes to allow either party to request a continuance of a hearing, and automatically extends temporary orders to the date of the new hearing, rather than having the temporary order lapse and be reissued.</p>				

**AB 1407 (Atkins) Family law: protective orders: wireless telephone numbers**

*Chapter 415, Statutes of 2015*

Summary: Allows a court, after a noticed hearing, to issue an order directing a wireless telephone service provider to transfer the billing responsibility and rights to a wireless telephone number or numbers to a requesting party.

**AB 1519 (Committee on Judiciary) Judiciary omnibus: family support**

*Chapter 416, Statutes of 2015*

Summary: Amends Family Code section 17400(a)(3) to provide that local child support agencies (1) are required to maintain original signed pleadings only for the time period stated in Government Code section 68152(a); and (2) may maintain original signed pleadings by way of an electronic copy in the Statewide Automated Child Support System. AB 1519 requires the Judicial Council to develop implementing rules by July 1, 2016.

**SB 28 (Wieckowski) Spousal support factors: domestic violence**

*Chapter 137, Statutes of 2015*

Summary: Includes a plea of nolo contendere as evidence of a history of domestic violence for the purposes of a court determining the amount and length of a spousal support order.

**SB 68 (Liu) Minor or nonminor dependent parents: reunification services**

*Chapter 284, Statutes of 2015*

Summary: Requires a court to take into consideration the particular concerns of a minor or nonminor dependent parent in making placement decisions. Authorizes a court to order continued reunification services for six additional months in order to assist a minor or nonminor dependent parent in regaining

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	<p>custody if "significant and consistent progress in establishing a safe home for the child's return" is being made.</p> <p><b><u>SB 238 (Mitchell) Foster care: psychotropic medication</u></b>  <i>Chapter 534, Statutes of 2015</i>  <u>Summary:</u> Together with SB 319 and SB 484, recasts and updates the psychotropic medications are applied for, prescribed, and supervised in minors subject to the jurisdiction of the juvenile court. Among other things, SB 238 changes the way the Department of Social Services, Department of Health Care Services, and others send information to the court, and makes sure a minor and his or her advocate have a meaningful opportunity to participate in the process.</p> <p><b><u>SB 307 (Pavley) Restraining orders</u></b>  <i>Chapter 60, Statutes of 2015</i>  <u>Summary:</u> Extends the authority of a court to issue an order restraining contact by an offender with the victim of a crime for up to ten years regardless of whether the offender is subject to mandatory supervision.</p> <p><b><u>SB 504 (Lara) Court records: sealing</u></b>  <i>Chapter 388, Statutes of 2015</i>  <u>Summary:</u> (1) Limits the requirement to reimburse the court, county, or city for the cost of sealing records to those parties who request sealing and are 26 years of age or older.  (2) Does not relieve an individual from satisfying a restitution order simply because his or her record of the case that led to the order is sealed.  (3) Prohibits an outstanding restitution order or other court fines or fees from being considered in determining if a petitioner has</p>				

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
	<p>been rehabilitated or from being used as a basis to not seal a record.</p> <p><b><u>SB 594 (Wieckowski) Child custody</u></b>  <i>Chapter 130, Statutes of 2015</i>  <u>Summary:</u> Specifies that a child custody evaluation, investigation, or assessment, and any resulting report, may only be considered by the court if the evaluation, investigation, or assessment, and any resulting report, is conducted in accordance with the minimum requirements adopted by the Judicial Council, unless any variations from the requirements are based on errors that are nonsubstantive, inconsequential, or both.</p> <p><b><u>SB 646 (Jackson) Uniform Interstate Family Support Act</u></b>  <i>Chapter 493, Statutes of 2015</i>  <u>Summary:</u> Revises the Uniform Interstate Family Support Act (UIFSA), and identifies the Department of Child Support Services as the agency designated by the United States central authority, to comply with federal law and maintain state eligibility to receive federal funding for child support enforcement, under the Hague Convention on the International Recovery of Child Support and Other Forms of Family Maintenance.</p>				



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2.	<p><a href="#"><u>AB 1712 (Beall) Nonminor Dependents</u></a>  <i>Chapter 846, Statutes of 2012</i>            Develop rules and forms to implement the transfer provisions for nonminor dependents and to provide further guidance to youth seeking to reenter juvenile court jurisdiction as nonminor dependents consistent with the provisions of earlier legislation<sup>5</sup> regarding the extension of juvenile court jurisdiction and foster care services to dependents and wards up to 21 years of age. Circulated for comment in Winter 2014 and deferred at the request of courts in Southern California.</p>	1(b)	Judicial Council Direction: Legislative Mandate  Origin of Project: Legislature  Resources:  Key Objective Supported: 2	January 1, 2017	Rules, forms
3.	<p><b>Address sealing legislation from 2015, listed above, and previous legislation:</b></p> <p><b>2013</b></p> <p><a href="#"><u>AB 1006 (Yamada) Juvenile court records: sealing and destruction</u></a>  <i>Chapter 269, Statutes of 2013</i>            Directs Judicial Council to develop informational materials and a form to enable a former ward or individual for whom a petition was filed under Welfare and Institutions Code section 602, or any individual who had contact with a probation department under section 626, to petition the court for the sealing and destruction of juvenile records under section 781 and rule 5.830. Circulated for comment in Spring 2014 and deferred due to pending related legislation.</p>	1(b)	Judicial Council Direction: Legislative Mandate  Origin of Project: Legislature  Resources:  Key Objective Supported: 2	July 1, 2016	Rules, forms

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
	<p><b>2014</b></p> <p><b><u><a href="#">SB 1038 (Leno) Juveniles: dismissal of petition</a></u></b>  <i>Chapter 249, Statutes of 2015</i>  Removes the cap of 21 years old by which a court must dismiss a petition against a former ward of the court. Does not require the court to have jurisdiction over the former ward at the time of dismissal of a petition. Further requires a court to automatically seal the records of minors under specified circumstances, and grants limited access to such files without this access constituting "unsealing" of the records. Circulated for comment in Spring 2015 and deferred due to pending related legislation.</p>				
4.	<p><b>Juvenile Dependency: Commercially Sexually Exploited Children (CSEC)</b>  In 2014, SB 855 (Stats. 2014, ch. 29) established the new California Commercially Sexually Exploited Children (CSEC) Program within the California Department of Social Services (CDSS) to support prevention, intervention, services, and training to more effectively address CSEC in this state. The legislation also amended Welfare and Institutions Code section 300 to include section 300(b)(2), which specifically acknowledges that CSEC can come into the system through the juvenile dependency portal, recognizing CSEC as victims rather than perpetrators. This proposal would amend Form JV-121, which currently includes the allegations corresponding to section 300(b)(1), to additionally provide the basic statutory allegations from the new section 300(b)(2), which reads: "The Legislature finds and declares that a child who is sexually trafficked, as described in Section 236.1 of the Penal Code, or who receives food or shelter in exchange for, or who is paid to perform, sexual acts described in Section 236.1</p>	1(b)	<p>Judicial Council  Direction:  Legislative  Mandate</p> <p>Origin of Project:  Legislature</p> <p>Resources:</p> <p>Key Objective  Supported: 2</p>	July 1, 2016	Amended forms

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	or 11165.1 of the Penal Code, and whose parent or guardian failed to, or was unable to, protect the child, is within the description of this subdivision, and that this finding is declaratory of existing law. These children shall be known as commercially sexually exploited children.”				
5.	<p><b>SPR15-28 Special Immigrant Juvenile Status</b></p> <p>To enrich recommendations to the council and to avoid duplication of efforts, the committee will continue to collaborate with the Probate and Mental Health Advisory Committee and the CJER Governing Committee to implement Senate Bill 873, Assembly Bills 899 and 900 (Stats. 2015, ch 694), and any other federal and state legislation or judicial decision that affects the intersection of federal immigration law and California child welfare or child custody law. This collaboration may include development of rules and forms, educational events, informational materials, and other resources to aid judges and court staff as well as justice partners and court users.</p>	1(b)	<p>Judicial Council Direction: Legislative Mandate</p> <p>Origin of Project: Legislature SB 873</p> <p>Resources: Legal Services, CJER</p> <p>Key Objective Supported: 2, 3</p>	July 1, 2016 and ongoing	Rules, forms
6.	<p><b>Update Form to Reflect Federal Poverty Guidelines</b></p> <p>Form JV-132 <i>Financial Declaration–Juvenile Dependency</i> contains figures based on the federal poverty guidelines; update form to reflect those guidelines when published by the federal government in early 2016.</p>	1(b)	<p>Judicial Council Direction: Statutory mandate and council delegation to the committee.</p> <p>Origin of Project: Statutory mandate</p> <p>Resources:</p>	Feb. 2016	Updated form

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			Key Objective Supported: 2		
7.	<p><b>Removal from Custodial Parent and Placement with a Nonparent (JV-421 and rule 5.710)</b>  Update form to track the Welfare and Institutions Code section 366.21(e) at item 33a. to read "...a date within six months of the date of the dispositional hearing, but no later than <i>twelve months</i> from the date the child entered foster care, as defined by section 361.49, whichever occurs earlier." Currently the item reads in pertinent part "...a date within six months from the date the child entered foster care under Welf. &amp; Inst. Code Section 366.21(e)."</p> <p>Update rule to track statutory language or delete unnecessarily duplicative statutory language.</p>	1(b)	<p>Judicial Council  Direction:  Legislative  Mandate</p> <p>Origin of Project:  Legislature</p> <p>Resources:</p> <p>Key Objective Supported: 2</p>	July 1, 2016	Rules, forms
8.	<p><b>Proposition 47</b>  Monitor implementation of proposition enacted November 5, 2014, which reduced the classification of many nonserious and nonviolent property and drug crimes from a felony to a misdemeanor. Assist juvenile courts with any required implementation.</p>	1	<p>Judicial Council  Direction: Statutory  mandate and  council delegation  to the committee.</p> <p>Origin of  Project: Statutory  mandate</p> <p>Resources:</p> <p>Key Objective Supported: 2</p>	Ongoing	Rules, forms, or information and analysis for council on why action on the council's part may or may not be necessary.

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/Outcome of Activity
9.	<p><b>Assembly Bill 1058 Child Support Program Funding</b> Provide recommendations to the council for allocation of funding pursuant to Family Code sections 4252(b) and 17712.</p>	1	<p>Judicial Council Direction: Legislative mandate and council delegation to the committee.</p> <p>Origin of Project: Legislative mandate</p> <p>Resources: Finance office</p> <p>1. Key Objective Supported: Provide recommendations to the Judicial Council on funding and allocation methods for specified legislatively mandated court-related programs.</p>	Ongoing	Council report with recommendations
10.	<p><b>Access to Visitation Funding and Legislative Report</b> Provide recommendations to the council for allocation of funding pursuant to Family Code section 3200. Additionally, the</p>	1	<p>Judicial Council Direction: Legislative mandate and</p>	Ongoing	Council report with recommendations

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	committee will provide the council with the statutorily mandated legislative report on the program due every other year.		<p>council delegation to the committee.</p> <p>Resources: Judicial Council Finance office</p> <p>Origin of Project: Legislative mandate and Judicial Council direction</p> <p>Key Objective Supported: 1</p>		
11.	<p><b>Serve as statutorily mandated Advisory Committee to the Judicial Council for the Court Appointed Special Advocates (CASA) grants program (Welf. &amp; Inst. Code, § 100 et seq.)</b> Recommend annual funding to local programs pursuant to the methodology approved by the Judicial Council in August 2013.</p>	1	<p>Judicial Council Direction: Committee charge under CRC 10.43; Legislative mandate</p> <p>Origin of Project: Welf. &amp; Inst. Code, § 100 et seq. and Judicial Council direction</p> <p>Resources: Judicial Council Finance office</p>	Ongoing	Council report with recommendations

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			Key Objective Supported: 1		
12.	<p><b>Blue Ribbon Commission on Children in Foster Care (BRC) recommendations</b>  Review and consider for action, when resources become available, the BRC recommendations related to court reform that have been ongoing, but have not yet been fully implemented because of significant budget challenges. Those recommendations broadly include:</p> <ol style="list-style-type: none"> <li>1. Reducing caseloads for judicial officers, attorneys, and social workers;</li> <li>2. Ensuring a voice in court and meaningful hearings for participants;</li> <li>3. Ensuring adequately trained and resourced attorneys, social workers, and Court Appointed Special Advocates (CASA); and</li> <li>4. Establish and monitor data exchange standards and information between the courts and child welfare agencies and those to be monitored by the Judicial Council Technology Committee, in consultation with the Family and Juvenile Advisory Committee, develop technical and operational administration standards for interfacing court case management systems and state justice partner information systems.</li> </ol>	1	<p>Judicial Council Direction: Refer by the Judicial Council</p> <p>Origin of Project: Judicial Council</p> <p>Resources: Key Objective Supported: 1</p>	Ongoing	
13.	<p><b>Domestic Violence</b>  Provide recommendations to the council on statewide judicial branch domestic violence issues in the area of family and juvenile law, including projects referred from the work of the Domestic Violence Practice and Procedure Task Force and the Violence</p>	1	Judicial Council Direction: Referral of projects from the Domestic Violence Practice	Ongoing	Coordination of activities in subject matter area to avoid duplication of resources and

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	Against Women Education Program (VAWEP). Serve as lead committee for Protective Orders Working Group (POWG).		and Procedure Task Force		potential conflict in rules, forms, and other areas
14.	<b>Legislation</b> Review and recommend positions on legislation related to family and juvenile law matters.	1	Judicial Council Direction: Committee charge under CRC 10.43	Ongoing	Subject matter expertise provided to PCLC so that council may take appropriate action
15.	<b>Education</b> Contribute to planning efforts in support of family and juvenile law judicial branch education.	1	Judicial Council Direction: Committee charge under CRC 10.43	Ongoing	Subject matter expertise provided to CFCC, Education Division, and CJER Governing Committee so that content of programs can be coordinated across the branch
16.	<b>SPR15-16</b> <b>Family Law: Revise FL-300 and companion forms</b> Propose revisions to forms to respond to statutory changes and requests from litigants and court professionals about new FL-300 and comply with new statutory requirements in Family Code section 6345(d) regarding providing a mechanism to allow parties to modify domestic violence restraining orders.	1(b)	Judicial Council Direction: Committee charge under CRC 10.43  Origin of Project: Legislative mandate	July 1, 2016	Delayed effective date to 7/1/16 to help with implementation. Some forms moved to Winter 2016 since recent legislation



#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			Resources: CFCC staff and members  Key Objective Supported: 1		mandates further changes to these same forms.
17.	<b>Review approval of training providers under 5.210, 5.225, 5.230, and 5.518.</b> Training providers/courses are reviewed for compliance with these rules by Judicial Council staff, in consultation with the Family and Juvenile Law Advisory Committee.	1	Judicial Council Direction: Judicial Council  Origin of Project: Judicial Council, result of name change (from AOC to JC) and review of delegations  Resources: Judicial council Support Services, Legal Services,  Key Objective Supported: 2	Ongoing	Approve providers
18.	<b>Serve as lead/subject matter resource for other advisory groups to avoid duplication of efforts and contribute to development of recommendations for council action.</b> Such efforts may include providing family and juvenile law expertise and review to working groups, advisory committees, and subcommittees as needed.	2	Judicial Council Direction: Pursuant to the committee’s charge under California Rules of Court, rule 10.43 “Makes	Ongoing	Coordinated rules, forms, and legislative proposals

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			<p>recommendations to the Judicial Council for improving the administration of justice in all cases involving marriage, family, or children.”</p> <p>Origin of Project: Respective advisory bodies</p> <p>Resources:</p> <p>Key Objective Supported: 2</p>		
19.	<p><b>Rules Modernization Project</b>  Each advisory committee has been asked to include in their annual agenda for 2015 and 2016 an item providing for the drafting of proposed amendments to the California Rules of Court related to their subject matter areas. This effort would be undertaken in coordination with ITAC, which is responsible for developing and completing the overall rules modernization project.</p>	2(b)	<p>Judicial Council  Direction: Pursuant to the committee’s charge under California Rules of Court, rule 10.43  “Makes recommendations to the Judicial Council for improving the administration of justice in all cases involving marriage, family, or children.”</p>	Jan. 1, 2018	<p>Implementation of eight technical changes effective January 1, 2016. Identification of further rule or form changes or necessary legislation.</p>

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			Origin of Project: CTAC Resources: Key Objective Supported: 2		
20.	<p><b>Juvenile Law: Intercounty Transfers</b> Review requests under rule 5.610(g) to approve local collaborative agreements for alternative juvenile court transfer forms in lieu of JV-550.</p>	2(b)	<p>Judicial Council Direction: Committee charge under CRC 10.43</p> <p>Origin of Project: Judicial Council. Judicial Branch Administration: Judicial Council Delegations to the Administrative Director of the Courts (October 25, 2013)</p> <p>Resources:</p> <p>Key Objective Supported: 2, 3</p>	Ongoing	Judicial Council report
21.	<p><b>FL-950, 955, 956 and 958 Limited Scope Representation; Rule 5.425</b> Amend to simplify the procedure for withdrawing when scope of work has been completed. The State Bar reports that many attorneys are unwilling to make court appearance because the</p>	2	Judicial Council Direction: Save resources for local courts	January 1, 2017	Rules, forms

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	<p>procedure that we have adopted for withdrawal is too complicated. Most states have adopted a simpler process. Proposed changes would likely reduce the number of hearings regarding withdrawal of counsel and promote more representation.</p>		<p>Origin of Project: Request from State Bar and court-based self-help centers</p> <p>Resources: Key Objective Supported: 2</p>		
22.	<p><b>Amend JV-365, Termination of Juvenile Court Jurisdiction-Nonminor</b></p> <p>JV-365 is a mandatory Judicial Council form. This means that courts are required to use this form at the hearing to terminate jurisdiction for a youth who is 18 years of age or older. As a mandatory form, it is important that the form closely follow the legislative mandates. However, the Department of Social Services has requested that the Judicial Council consider amending this form to include other important, but not mandated, information to make the nonminors transition to their eligible benefits as seamless as possible</p>	2	<p>Judicial Council Direction: Committee charge under CRC 10.43</p> <p>Origin of Project: Request from Department of Social Services</p> <p>Resources:  Key Objective Supported: 2</p>	January 1, 2017	Amended form
23.	<p><b>Juvenile Dependency Rules</b></p> <p>Review hearing rules to determine what language is unnecessarily duplicative of statutory language and recommend rule revisions as appropriate.</p>	1(b)	<p>Judicial Council Direction: Legislative Mandate</p> <p>Origin of Project: Legislature</p>	July 1, 2016	Amended rules

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
			Resources:  Key Objective Supported: 2		
24.	<p><b>Juvenile Law: Competency issues</b> To enrich recommendations to the council and avoid duplication of effort, members of the committee will collaborate with members of the Collaborative Justice Courts Advisory Committee, and former members of the Mental Health Issues Implementation Task Force serving on other advisory bodies, to consider developing recommendations to the Judicial Council to: (1) revise rule 5.645 to define appropriate evaluation tools for use with juveniles, (2) amend legislative language to clarify the presumption of competency, (3) suggest other legislative changes necessary to improve the handling of cases where competency issues are raised, and (4) identify effective practices developed by local courts to address juvenile cases in which competency is a factor.</p>	2	<p>Judicial Council Direction: Committee charge under CRC 10.43 Origin of Project: Committee members and numerous suggestions from trial court judges in recent years.</p> <p>Resources: Collaborative Justice Courts Advisory Committee</p> <p>Key Objective Supported: 2, 3</p>	January, 1 2017	Legislation
25.	<p><b>Juvenile Law: Private guardianships.</b> To enrich recommendations to the council and avoid duplication of effort, members of the committee will collaborate with members of the Probate and Mental Health Advisory Committee to explore further statutory revisions and/or changes to rules and forms to improve the handling of private guardianship cases when</p>	2	<p>Judicial Council Direction:  Origin of Project: Legislative mandate.</p>	Ongoing	

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
	allegations of child abuse or neglect arise and cases may “crossover” from probate court into juvenile dependency court. The committees will evaluate and discuss the impact of recent legislation (AB 1757 (Stats. 2012, ch. 638)) relevant case law.		Resources: LSO  Key Objective Supported: 3		
26.	<b>Court Coordination and Efficiencies</b> Review promising practices that enhance coordination and increase efficient use of resources across case types involving families and children including review of unified court implementation possibilities, court coordination protocols, and methods for addressing legal mandates for domestic violence coordination so as to provide recommendations for education content and related policy efforts.	2	Judicial Council Direction: Committee charge under CRC 10.43  Origin of Project: Committee charge  Resources: Key Objective Supported: 3	Ongoing	Recommendations to groups and expertise will be offered to that request it
27.	<b>Indian Child Welfare Act Rules and Forms</b> In conjunction with the Tribal Court-State Court Forum and Probate and Mental Health Advisory Committee monitor pending California Supreme Court cases <i>In re Abbigail A.</i> (2014) 173 Cal.Rptr.3d 191(3rd District) and <i>In re. Isaiah W.</i> (2014) 228 Cal.App.4th 981 (2nd District) for possible amendments to rules 5.482(c) and 5.484(c)(2) and status of proposed Federal Regulations for State Courts and Agencies in Indian Child Custody Proceedings governed by the Indian Child Welfare Act published for public comment in the federal register on March 20, 2015 (Vol. 80 FR No. 54 14880) for possible further amendments to ICWA rules and revisions to ICWA forms; concurrently amend <i>Notice of Child Custody Proceeding for Indian Child</i> (ICWA-030) in light of the <i>Abbigail A.</i> decision and <i>In re S.E.</i> (2013) 217 Cal. App. 4th 610 (2nd District).	2	Judicial Council Direction: Committee charge  Origin of Project: Case law change  Resources: Legal Services  Key Objective Supported: 2	Ongoing	

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
28.	<p><b>Consider Mental Health Issues Implementation Task Force Referrals</b>  Review and consider recommendations referred by the Judicial Council following the task force’s final report to the council.  Recommend appropriate action within the committee’s purview.</p>	2	<p>Judicial Council  Direction: As referred by the council</p> <p>Origin of Project:</p> <p>Judicial Council  Resources: Legal Services, Criminal Justice Services office  Key Objective Supported: 2, 3</p>	Ongoing	
29.	<p><b>Child Support Commissioner and Family Law Facilitator Program Allocation Methodology Joint Subcommittee:</b>  To enrich recommendations to the council and avoid duplication of effort, members of the committee will continue to collaborate with members of the Trial Court Budget Advisory Committee, the Workload Assessment Advisory Committee, and representatives from the California Department of Child Support Services to reconsider the allocation methodology developed in 1997 and report back at the February 2016 Judicial Council meeting.</p>	1	<p>Judicial Council  Direction:  Committee charge under rule 10.43</p> <p>Origin of Project:  Judicial Council,  April 17, 2015 meeting</p> <p>Resources: Finance, Office of Court Research, CFCC</p> <p>Key Objective Supported: 1</p>	February 2016	Report to the Judicial Council

#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
30.	<p><b>Juvenile Dependency: Court-Appointed-Counsel Funding Allocation Methodology Joint Subcommittee:</b>            To enrich recommendations to the council and avoid duplication of effort, members of the committee will continue to collaborate with members of the Trial Court Budget Advisory Committee to review the workload model for court-appointed dependency counsel and report back no later than the April 2016 Judicial Council meeting.</p>	1	<p>Judicial Council            Direction:            Committee charge under rule 10.43</p> <p>Origin of Project:            Judicial Council,            April 17, 2015 meeting</p> <p>Resources: Finance,            Office of Court Research</p> <p>Key Objective Supported: 1, 3</p>	April 1, 2016	Report to the Judicial Council
31.	<p><b>Family: Petition Forms</b>            Revise forms FL-100 and FL-110 to remove legally incorrect language (reference to “state” following Obergefell v. Hodges decision).</p>	1	<p>Judicial Council            Direction:            Committee charge under CRC 10.43</p> <p>Origin of Project:            Legislative mandate</p> <p>Resources:</p> <p>Key Objective Supported: 2</p>	July 1, 2016	Revised forms



#	Project <sup>3</sup>	Priority <sup>4</sup>	Specifications	Completion Date/Status	Describe End Product/ Outcome of Activity
32.	<p><b>Adoption &amp; Permanency Month</b> Annual recognize the month of November as “Court Adoption and Permanency Month” in recognition of the need for permanency for youth under the court’s jurisdiction.</p>	2	<p>Judicial Council Direction: Committee charge under CRC 10.43</p> <p>Origin of Project: Legislative mandate</p> <p>Resources:</p> <p>Key Objective Supported: 2</p>	Ongoing	Judicial Council resolution.

33. **STATUS OF 2015 PROJECTS:**

*[List each of the projects that were included in the 2014 Annual Agenda and provide the status for the project.]*

#	Project	Completion Date/Status
1.	<p><b>Certification of Child Support Calculator Software</b> Review and approve certifications of child support calculator software pursuant to Family Code section 3830 and California Rule of Court 5.275, including review of necessary changes as a result of Senate Bill 274 (parentage).</p>	Child support calculator software approved by the council in spring 2015.
2.	<p><b>FL-800 Joint Petition for Summary Dissolution</b> Update to reflect change in cost of living per Family Code section 2400(b) as a technical change.</p>	Completed effective July 1, 2015.
3.	<p><b>Assembly Bill 1712: Minors and nonminor dependents</b> (The Judicial Council was a cosponsor of Assembly Bill 12, the original legislation that authorized extended foster care for young adults ages 18 to 21, which was enacted in 2010, with most of its provisions effective January 1, 2012. The council has supported each of the subsequent cleanup bills to make changes to ensure smooth and effective implementation of Assembly Bill 12: Assembly Bill 212 in 2011, Assembly Bill 1712 in 2012, and Assembly Bill 787 (Stone; Stats. 2013, ch. 487) in 2013.)</p>	Completed effective January 1, 2016.
4.	<p><b>AB 1761 (Hall) Dependent children: placement (Ch. 765)</b> Among other things, expands the time periods during which a County Department of Social Services must conduct a suitability assessment of a relative or nonrelative extended family member who requests temporary placement of a child who has been taken into temporary custody based on allegations of abuse or neglect, if the child is not released to a parent or guardian.</p>	Determined that RUPRO action was not needed.
5.	<p><b>AB 2454 (Quirk-Silva) Foster youth: nonminor dependents (Ch. 769)</b> Allows a nonminor dependent who received either Kin-GAP aid or adoption assistance aid after turning 18 years old to petition for resumption of dependency jurisdiction.</p>	Completed effective January 1, 2016.

6.	<p><b>SPR15-16</b>  <b>Domestic Violence Law—Request to Modify or Terminate Domestic Violence Restraining Orders; Family Law—Changes to Request for Order Rules and Forms</b></p>	Completed effective January 1, 2016.
7.	<p><b>SPR15-17</b>  <b>Family Law/Domestic Violence: Amendments to Domestic Violence Form, “Get Ready for the Court Hearing” (DV-520-INFO)</b>  Propose amendments to correct information on the form and improve the availability of information for litigants, including self-represented litigants, on preparing for court hearings so as to reduce confusion and delay at court hearings.</p>	Completed effective January 1, 2016.
8.	<p><b>SPR 15-18</b>  <b>Juvenile Custody Orders</b>  Both family and juvenile courts have expressed frustration at the inability of the current Custody Order—Juvenile—Final Judgment (form JV-200) and Visitation Order—Juvenile (form JV-205) to capture the juvenile court’s findings and orders to the extent needed for compliance with the terms of the orders by the parties and for the enforcement or modification of the orders by the family court. The committee will propose and recommend circulation of revisions to the forms designed to reduce the number of enforcement and modification disputes filed in family court and to promote more efficient resolution of any such disputes that do arise by increasing the level of specificity solicited by the forms and incorporating language more familiar to the family court bench and bar.</p>	Completed effective January 1, 2016.
9.	<p><b>SPR15-19:</b>  <b>AB 1701 (Patterson) Family law: adoption (Ch. 763)</b>  Among other things: Clarifies who can bring an action to declare the existence or nonexistence of a presumed parents-child relationship, specifying that the child's natural mother, rather than natural parent, may do so. Allows a single consolidated petition to terminate the parental rights to multiple children. Allows a court to permit prospective adoptive parents to appear in adoption proceedings by telephone, videoconference, or other remote electronic means.</p>	Completed effective January 1, 2016.

	<p><b>AB 2344 (Ammiano) Family law: parentage (Ch. 636)</b>  Among other things, creates a statutory form to establish the intent to be a legal parent or not when donating genetic material, and establishes the procedure for stepparent adoptions involving a spouse or partner who gave birth during the marriage or partnership, including exempting such adoptions from home visit and home study requirements.</p>	
10.	<p><b>SPR15-21</b>  <b>Juvenile Law: Extended Foster Care</b>  Amend Cal. Rules of Court, rules 5.555, 5.707, 5.812, and 5.906; revise forms JV-367, JV-464-INFO, JV-466, JV-470, and JV-472</p>	Completed effective January 1, 2016.
11.	<p><b>SPR15-22</b>  <b>Juvenile Delinquency: Documenting Wobbler Determination (JV-665)</b>  Provide subject matter expertise to the council by providing recommendations for change to form JV-665 suggested by the recent unpublished appellate decision <i>In re S.J.</i> (H040997).</p>	Completed effective January 1, 2016.
12.	<p><b>SPR1-23</b>  <b>Juvenile Law: Proceedings Before a Referee (rule 5.538)</b>  amending subdivision (b)(3) in the Spring 2015 cycle to conform to existing law and to prevent unnecessary appellate delays.</p>	Completed effective January 1, 2016.
13.	<p><b>SPR15-24</b>  <b>Juvenile Law: Detention</b>  Amend Cal. Rules of Court, rules 5.502, 5.760, and 5.790; revise forms JV-642 and JV-667</p>	Completed effective January 1, 2016.
14.	<p><b>SPR15-24:</b>  <b>AB 388 (Chesbro) Juveniles (Ch. 760)</b>  Among other things, requires that there be reasons to continue holding a dual-status minor in custody in delinquency matters other than the child welfare department's inability to find an adequate placement or the minor's status as a dependent.  <b>AB 2607 (Skinner) Juveniles: detention (Ch. 615)</b>  Among other things, limits a court's authority to decide what is a reasonable ground for continued detention of a dual-status minor or nonminor, specifically eliminating administrative delays or a</p>	Completed effective January 1, 2016.

	probation officer's inability to find an appropriate placement for the minor or nonminor. Options for relief include releasing the minor or nonminor from custody. Requires periodic review of detention by the court.	
15.	<b>SPR15-25</b> <b>SB 977 (Liu) Juveniles (Ch. 219)</b> Among other things, authorizes a court to place a child with a parent who is enrolled in a certified substance abuse treatment facility that allows a dependent child to reside with his or her parent.	Completed effective January 1, 2016.
16.	<b>SPR15-26</b> <b>SB 1099 (Steinberg) Dependent children: sibling visitation (Ch. 773)</b> Among other things, requires a court to review the reasons for any suspension of sibling visitation with a minor or nonminor dependent.	Completed effective January 1, 2016.
17.	<b>SPR15-27</b> <b>SB 1460 (Committee on Human Services) Child welfare (Ch. 772)</b> Among other things, requires a juvenile court to transfer a case file to a tribe having jurisdiction over a juvenile court case, and requires both the juvenile court and the tribe to document the finding of facts supporting jurisdiction over the child by the tribal court. Requires that a transfer order shall have precedence in scheduling, "and shall be heard by the court at the earliest possible moment after the order is filed." Further allows a child who has been removed from the custody of his or her parents to be placed with a resource family, as defined.	Completed effective January 1, 2016.

## 34. Subgroups/Working Groups - Detail

### **Subgroups/Working Groups:**

Subcommittee or working group name: **Protective Orders Forms Working Group** (includes representatives from the Civil and Small Claims Advisory Committee and Criminal Law Advisory Committee)

Purpose of subcommittee or working group: This working group was established at the direction of RUPRO to coordinate advisory committees' activities concerning protective orders that prevent domestic violence, civil harassment, elder and dependent abuse, and school place violence. The group assists in ensuring that there is consistency and uniformity, to the extent appropriate, in the different protective orders used in family, juvenile, civil, probate and criminal proceedings. The working group helps advisory committees and the Judicial Council by developing and updating Judicial Council protective order forms. It also reviews pending legislation and suggests new legislation to improve protective orders. It prepares proposals changes to the rules of court on protective orders, as necessary or appropriate. The Council has indicated that this advisory committee is to serve as lead for the Protective Orders Forms Working Group.

Number of advisory group members: 8

The Family and Juvenile Law Advisory Committee has 8 members who participate in the Protective Orders Working Group.

Number and description of additional members (not on this advisory group):

In addition to the 8 members from Family and Juvenile Law Advisory Committee, there are 6 members from other advisory groups on the Protective Orders Working Group: Civil and Small Claims (5), Criminal (1), and Domestic Violence Practice and Procedure Task Force (1). There is one former member of the Civil and Small Claims Advisory Committee (a retired commissioner) who is still participating in the group. There is a vacant position for a member of the Probate and Mental Health Advisory Committee.

Date formed: In 2007, at the direction of RUPRO. The formation of an interdisciplinary group to address protective order issues was originally suggested by the Chair of RUPRO in August 2006.

Number of meetings or how often the group meets:

Approximately 6-8 telephone meetings annually, depending on extent of business. (All meetings are by telephone.)

Ongoing or date work is expected to be completed:

Some core working group activities are ongoing—such as updating Judicial Council forms and reviewing legislation. Other activities—such as developing proposed Judicial Council-sponsored legislation—are projects of a specific duration.

Subcommittee or working group name: **Violence Against Women Education Program Committee**

Purpose of subcommittee or working group: Per Judicial Council referral, VAWEF will continue to provide guidance and evaluation of the VAWEF grant-funded projects and make recommendations to improve court practice and procedure in domestic violence cases as directed by the Family and Juvenile Law Advisory Committee and as approved in the advisory committee's annual agenda.

As indicated by the Judicial Council, VAWEF will request that the chair of the Criminal Law Advisory Committee select one or more members of that advisory committee to serve on VAWEF to help address questions relating to court practice and procedure in criminal domestic violence matters.

Date formed: 2003 as a committee; designated as a subcommittee by Judicial Council action, August 22, 2014.

Number of meetings or how often the group meets: 1 in person meeting anticipated

Ongoing or date work is expected to be completed: Ongoing.

Subcommittee or working group name: **Child Support Commissioner and Family Law Facilitator Program Allocation Methodology Joint Subcommittee**

Purpose of subcommittee or working group: To enrich recommendations to the council and avoid duplication of effort, members of the committee will collaborate with members of the Trial Court Budget Advisory Committee, the Workload Assessment Advisory Committee, and representatives from the California Department of Child Support Services to reconsider the allocation methodology developed in 1997 and report back at the February 2016 Judicial Council meeting.

Date formed: designated as a subcommittee by RUPRO and E&P June 1, 2015.

Number of meetings or how often the group meets: 1 in person meeting anticipated

Ongoing or date work is expected to be completed: February 2016

Subcommittee or working group name: **Juvenile Dependency: Court-Appointed-Counsel Funding Allocation Methodology Joint Subcommittee**

Purpose of subcommittee or working group: To enrich recommendations to the council and avoid duplication of effort, members of the committee will collaborate with members of the Trial Court Budget Advisory Committee to review the workload model for court-appointed dependency counsel and report back no later than the April 2016 Judicial Council meeting.

Date formed: designated as a subcommittee by RUPRO and E&P June 1, 2015.

Number of meetings or how often the group meets: 1 in person meeting anticipated

Ongoing or date work is expected to be completed: April 1, 2016

# **Commission on the Future of California's Court System**



## Chief Justice Creates Commission on Future of the Courts

FOR RELEASE

Contact: [Teresa Ruano](#), 415-865-7740

July 9, 2014

### Chief Justice Creates Commission on Future of the Courts

*Commission will examine ways to increase efficiency of legal system*



California Supreme Court Associate Justice Carol A. Corrigan will chair the commission.

SAN FRANCISCO—Chief Justice Tani G. Cantil-Sakauye announced today the creation of the Commission on the Future of California’s Court System to study and make recommendations to improve the state’s court operations and accessibility. In the next two years, the commission will examine ways to increase the efficiency of adjudicating cases in civil, criminal, traffic, juvenile, and family law matters, as well as ways to enhance the underfunded court system’s fiscal stability.

“We are at a pivotal moment for our financially strapped judicial system,” the Chief Justice said. “The commission’s charge will be to take a fresh look at legal and structural challenges to long-term efficiency and stability for the judicial branch and develop practical, achievable recommendations that may be implemented by the Judicial Council, the Legislature, or the Governor.”

The Chief Justice announced the commission’s leadership today; further members and subcommittees will be appointed at a later date. Supreme Court Associate Justice [Carol A. Corrigan](#) will head the commission. Justices, judges, and court executives from a cross-section of courts will serve on the commission’s executive committee. In addition, liaisons from public and private sector entities such as state and local government, the bar, labor, business, and other public policy groups will provide essential expertise. Administrative Presiding Justice [William R. McGuiness](#), of the Court of Appeal, First Appellate District, will serve as the commission’s vice-chair.

Other members of the executive committee include: Justice James Humes and Justice Peter Siggins of the First Appellate District, Justice Steven Perren of the Second Appellate District, Justice Louis Mauro of the Third Appellate District, Justice Judith Haller, Justice Douglas P. Miller, and Justice Kathleen O’Leary of the Fourth Appellate District, Justice Charles Poochigian of the Fifth Appellate District, Justice Patricia Manoukian of the Sixth Appellate District, Judge Stacy Boulware-Eurie and Judge Emily Vasquez from the Sacramento Superior Court, Los Angeles Superior Court Judge Carolyn Kuhl, Santa Clara Superior Court Judge Patricia Lucas, San Bernardino Superior Court Judge Marsha Slough, Monterey Superior Court Judge Carrie Panetta, retired Placer Superior Court Judge Richard Couzens, Santa Clara Superior Court Executive Officer David Yamasaki, Placer Superior Court Executive Jake Chatters, and Fifth Appellate District Clerk/Administrator Charlene Ynson. Former State Bar President Patrick Kelly has been named as a special liaison to the executive committee. Lead administrative support will be provided by Jody Patel, Chief of Staff for the Judicial Council.

“I am immensely grateful that committee members have agreed to take on this significant task,” the Chief Justice said. “It’s the next logical step in my ongoing efforts to look at how the judicial branch conducts its business. My expectation is that the full commission will be appointed by the fall and will hold its first meeting by December. I hope it will be able to report back to me within 24 months.”

###

## **COMMISSION ON THE FUTURE OF THE CALIFORNIA'S COURT SYSTEM**

### ***Charge and Vision***

The Commission on the Future of the California's Court System (Commission) will study and recommend to the Chief Justice initiatives to effectively and efficiently serve California's diverse and dynamic population by enhancing access to justice.

The Commission will focus on:

1. Improving systems and structures to effectively adjudicate civil, criminal, traffic, and family, and juvenile law cases;
2. Achieving sustainable fiscal stability for the branch;
3. Employing modern technology to enhance public access to court information and services.

### ***Mission***

The focus of the Commission's work will be an internal review of the current operations of California's courts. It will assess the statutory and Constitutional obligations of the courts, the current manner in which those obligations are being discharged, and whether there are systemic changes that can ensure those obligations are met directly and effectively, by the prudent allocation of limited resources.

Its goal will be to recommend ways in which the core responsibilities of the judicial system can be achieved effectively and fairly, taking into account the demands and opportunities of the Twenty First Century.

The Commission will solicit ideas and input from a broad spectrum of sources. Its focus will be on practical and achievable suggestions to make certain that the methods employed to support the delivery of justice are responsive to the needs of all Californians.

Subgroups of the Commission will consider what changes may be made, what costs may be both required and saved, what advantages and disadvantages any proposal may entail, and whether implementation of proposals will require changes in statutes or rules of court.

### ***Structure of the Commission***

- The Commission will consist of a chair and vice-chair and members from within the judicial branch. Additionally, the Commission will seek input and expertise from groups outside the branch including labor, technology, business, justice system partners, the Governor's Office, and the legislature.
- The Commission will have an Executive Committee that will be charged with ensuring appropriate input and participation is sought from within the branch and from various stakeholder groups and will be responsible for the development and approval of all reports and recommendations submitted to the Chief Justice.

- The Commission will have four subcommittees, each chaired by an Executive Committee member, consisting of members drawn from the Commission and augmented by other experts in the field. The subcommittees will develop ideas, conduct research, and make recommendations for action in its area.
- The Judicial Council's Chief of Staff, Jody Patel will be lead staff for the Commission's efforts. She will be assisted by a core team of Judicial Council staff that will support the efforts of the Commission aided by subject matter experts from throughout the Judicial Council.

## **Concept 1: One Juvenile Court—Consolidated Juvenile Court Jurisdiction in California**

Consider consolidation of all juvenile court cases (juvenile dependency and juvenile delinquency) under one unified juvenile court.

### **Why is this concept being considered by the Futures Commission?**

Juvenile courts are charged with the responsibility of overseeing the lives of children and families when there has been an allegation that direct state intervention is needed to protect the child, the family, or the community. Under a consolidated system, juvenile courts would be able to enhance the effectiveness and efficiency of the juvenile court's orders by serving the family as a whole, ensuring a focus on the youth's well-being, and improving outcomes of cases by integrating services across all of the systems and agencies that serve youth and families in juvenile courts. The concept does not seek to expand the court's jurisdiction over additional children and families, but rather to ensure that once the court has found that jurisdiction is in fact legally justified, the approach at the dispositional phase can address all of the circumstances that brought the child and family before the court.

Under the current construct, many children re-enter the juvenile court system shortly after exiting because of subsequent abuse or neglect or criminal behavior, system-involved youth have significantly lower educational outcomes than their peers who are not system involved or in foster care, and youth who come before the juvenile court have higher rates of mental health and substance abuse disorders than their peers. In addition, the current juvenile system involves parents of juvenile justice youth in only a piecemeal fashion, which does not fully involve them in all of the helpful services and support that may prevent future delinquent behavior by the youth. Similarly, when dependent children engage in alleged unlawful behavior, a consolidated court could provide services and enhance community safety without disrupting the path to permanency that is underway via the child welfare system.

Collaboration between child-serving entities (child welfare, probation, and mental health) is less effective because of separate jurisdictional processes, institutional mandates, funding, and terminology. Current jurisdictional constructs impede full delivery of all necessary services and interventions and distract from the shared responsibility to stabilize and protect the child, family, and community at large. All of these factors are high contributors to the low success rates for juveniles that frequently enter—and stay in—the system.

### **Goals and potential strategies**

The Futures Commission is looking into the potential benefits and challenges of consolidating the juvenile court under one jurisdictional statute, with the goal of reducing recidivism, promoting self-sufficiency, and eliminating the need for further government intervention. Strategies that are being considered include: ensuring that due process rights of children and parents are not diminished by making parents of juvenile justice children parties to actions, similar to parents in dependency actions; creating a system that takes into account the family context in which the offending behavior occurred; allowing a court to address a child's welfare and safety needs while following due process requirements in addressing accountability for criminal behavior; operationalizing information sharing to improve effectiveness and efficiency of court dispositional orders; enhancing the use of evaluated mental health screenings, assessment, and treatments; expanding the understanding of childhood trauma and its impacts on adolescent development; and increasing the potential for using a broadly restorative approach to resolve conflicts when appropriate to do so.

The Futures Commission will explore factors such as funding, information sharing/confidentiality issues, agency coordination, regulatory and statutory compliance, best practices, training/culture change, and data collection/accountability.

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## **Concept 2: Efficient and Effective Resolution in Family Courts**

Explore systems to be implemented statewide to assist in cooperative and early resolution in the family courts, including: a uniform statewide system of child custody mediation, the availability of early resolution tools for non-custody issues, and other procedures that would provide litigants in appropriate cases with simple paths to the relief they seek.

### **Why is this concept being considered by the Futures Commission?**

Family courts handle some of the most important decisions in the lives of California families, including decisions that impact personal safety, living arrangements, child custody and visitation, support, and property distribution. Reducing the time and costs it takes to resolve family law matters would benefit the parties, their children, their extended families, the courts, and society.

Currently, substantial differences exist in the way California courts provide for early resolution of family law disputes. Although California law mandates that mediation be offered in all contested child custody cases, some counties authorize mediators to make custody recommendations to the judge on behalf of the parents (child custody recommending counselors; see Cal. Family Code § 3183), and other counties provide confidential mediation or follow a different procedure.

For non-custody issues in family law court (child support, property division, and other dissolution matters), courts offer differing opportunities for early resolution. And in many courts, procedures are unavailable that would provide litigants with simple paths to the relief they seek.

### **Goals and potential strategies**

In exploring efficient and effective resolution in family law court, the Futures Commission will look at opportunities for providing swifter and, where possible, less contentious resolution of family law matters. The strategies being considered include:

- Evaluating and researching whether to recommend a uniform statewide system for child custody mediation, including the review of existing mediation systems, such as a tier model.
- Evaluating the impact and cost of providing families with efficient and effective early resolution tools for all non-custody family law issues, such as online dispute resolution.
- Considering procedures that would provide litigants with simple paths to the relief they seek, such as one-day divorce programs in appropriate cases.

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## Concept 8: Using Technology to Increase Access and Self-Help

Provide all court users with increased access and education through technology.

### Why is this concept being considered by the Futures Commission?

More and more Californians are conducting business online, including through their mobile devices, and the California courts should keep pace with current technology. Improved remote access to the courts would help court users conduct court business even when a courthouse is geographically distant, and would help them avoid the lines, crowds, and costs associated with court visits. Technology can also be used to make court services more understandable and accessible, particularly for self-represented litigants.

### Goals and potential strategies

In considering increased access and self-help through technology, the Futures Commission is looking at ways to improve access to justice for all court users. The strategies to be explored include the following:

- Statewide electronic filing and the ability to conduct court business online, including access to court records and the ability to pay fees or apply for a fee waiver.
- Self-help information in a variety of languages and formats, including formats that can be accessed by telephone or online, such as workshops and videos.
- Online access to guided fillable court forms through a user-friendly program.
- Online answers to frequently asked questions.
- Video and telephonic appearances in appropriate cases.
- Online scheduling of court appearances and other court services, with remote reminders and alerts for upcoming appointments and appearances.
- The ability to provide attorneys and parties with a copy of a minute order or even a formal order, promptly after hearing.
- Elimination of language access barriers by means of bilingual staff and translation and interpreter services, including remote interpreter services.

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# ***Family and Juvenile Law Advisory Committee***

## ***Spring 2016 Legislative Update***

Listed below are the family and juvenile law related bills that have been introduced in 2016 as of February 11, 2016, bills known to be planned for introduction by the February 19, 2016 deadline, and two-year bills still active that were introduced in 2015. The full text, status, analyses, and vote records for those bills that have already been introduced can be found at <http://leginfo.legislature.ca.gov/>, or by clicking on the links in the titles of each bill. The bill list is organized by subject matter. For questions on any of these bills please contact: Alan Herzfeld at (916) 323-3121 or [alan.herzfeld@jud.ca.gov](mailto:alan.herzfeld@jud.ca.gov).

### ***Family and Domestic Violence Bills***

#### **[AB 1834 \(Wagner R\) Electronic court reporting](#)**

Location: Waiting for Assignment to Committee

Summary: Extends the use of electronic recording of proceedings to include family law cases when there is no official reporter or official reporter pro tempore available.

#### **AB XXXX (Committee on Judiciary) Judiciary omnibus**

Location: To be introduced by Assembly Judiciary Committee

Summary: Among other things, ratifies the Judicial Council's authority to, on vacancy, convert ten additional SJO positions to judgeships, provided that the conversion will result in either family or juvenile law assignment that was previously presided over by an SJO be presided over by a judge. Other sections of the bill will be described to the advisory committee following introduction.

#### **[SB 808 \(Gaines R\) Protective orders: unmanned aircraft systems](#)**

Location: Senate Public Safety Committee

Summary: Extends restrictions on individuals subject to protective orders by prohibiting those individuals from operating an unmanned aircraft in a way that would violate the protective order, including taking photographs of the protected party or coming within the specified restricted distance of the protected party.

#### **[SB 870 \(Roth D\) Domestic Violence](#)**

Location: Waiting for Assignment to Committee

Summary: Spot bill sponsored by the Riverside County District Attorney's office. Intended to renumber penal code provisions related to domestic violence that involves strangulation, and to expand judicial discretion related to these cases.

**[SB 917 \(Jackson D\) Family law: court orders](#)**

Location: Senate Judiciary Committee

Summary: When a hearing takes place under the family code, requires the court to provide each party who is present “with a written order setting forth the basic terms of any orders that were made at the hearing.” Specifies that a signed minute order is sufficient for these purposes.

**[SB 1005 \(Jackson D\) Marriage](#)**

Location: Waiting for Assignment to Committee

Summary: Replaces terms “husband” and “wife” with gender-neutral terms such as “spouse” or “spouses.”

**[SB XXXX \(Moorlach R\) Family law: Dissolution of marriage: date of separation](#)**

Location: To be introduced by Senator Moorlach

Summary: Defines “date of separation” for purposes of property division and sets evidentiary standards to prove a “complete and final break in the marital relationship.” Declares the changes to be retroactive to any case pending on January 1, 2017. Declares the Legislature’s intent to abrogate *In re: Marriage of Davis* (61 Cal.4<sup>th</sup> 846 (2015)) and *In re: Marriage of Norviel* (102 Cal.App.4<sup>th</sup> 1152 (2002)).

***Juvenile Dependency Bills***

**[AB 885 \(Lopez D\) Foster youth](#)**

Location: Senate Human Services Committee

Summary: Clarifies AB 2454 (2014) to allow a nonminor to re-enter the dependency system if they are no longer receiving support from their former foster guardian or adoptive parent, even if the former guardian or adoptive parent is still receiving benefits on the nonminor’s behalf.

**[AB 1675 \(Stone D\) Juveniles: prostitution](#)**

Location: Waiting for Assignment to Committee

Summary: Specifies that a minor who solicits or engages in an act of prostitution is not subject to delinquency jurisdiction, and instead may be declared a dependent of the juvenile court.

**[AB 1702 \(Stone D\) Juveniles: dependent children: reunification services](#)**

Location: Waiting for Assignment to Committee

Summary: Declares that a court does not need to provide reunification services to parents or guardians if the court finds that the parent or guardian allowed the sexual exploitation or human



trafficking of the child, unless the parent or guardian was also a victim of sexual exploitation or human trafficking.

**[AB 1849 \(Gipson D\) Foster youth: transition to independent living: health insurance coverage](#)**

Location: Waiting for Assignment to Committee

Summary: Expands the requirements for terminating dependency jurisdiction over a nonminor to include verification that the nonminor is enrolled in Medi-Cal, has a benefits ID card to that effect, and information related to Medi-Cal coverage up to age 26.

**[AB 1879 \(McCarty D\) Foster youth: permanency](#)**

Location: Waiting for Assignment to Committee

Summary: Requires the court to order the provision of child-centered specialized permanency services to a child who does not have a permanent plan of adoption and who is not placed with a fit and willing relative, or who is 16 years of age or older and placed in another planned permanent living arrangement. Also authorizes the court to order these services for a nonminor dependent in another planned permanent living arrangement.

**[SB 253 \(Monning D\) Dependent children: psychotropic medication](#)**

Location: Assembly Inactive File

Summary: Recasts and updates the psychotropic medications are applied for, prescribed, and supervised in minors subject to the jurisdiction of the juvenile court. Among other things, SB 253 changes the procedures and requirements for a court to authorize the use of psychotropic medications, including ongoing supervision and oversight requirements. Subject to ongoing negotiations between the sponsors, author, and executive agencies.

**Judicial Council is in support.**

**[SB 942 \(Liu D\) Dependency proceedings: relative caregivers](#)**

Location: Waiting for Assignment to Committee

Summary: Requires a social worker to conduct an assessment of an able and willing relative caregiver within seven calendar days if a child is placed with a nonrelative at an initial placement hearing. Requires a court, if requested by the child or his or her parents or guardian, to hold a hearing on a social worker's recommendations based on the assessment within ten court days of the request.

***Juvenile Delinquency Bills***

**SB 941 (Mitchell D) Juveniles**

Location: Waiting for Assignment to Committee

Summary: Limits the payment of fees related to home detention or drug and substance abuse testing programs to adult participants in such programs. Removes the \$20 per month cap on fees that a court may require a county to pay for the support and maintenance of a ward or dependent of the court, and eliminates a county board of supervisor's authority to establish a maximum payment.

**AB/SB XXXX Juvenile proceedings: competency**

Location: To be introduced

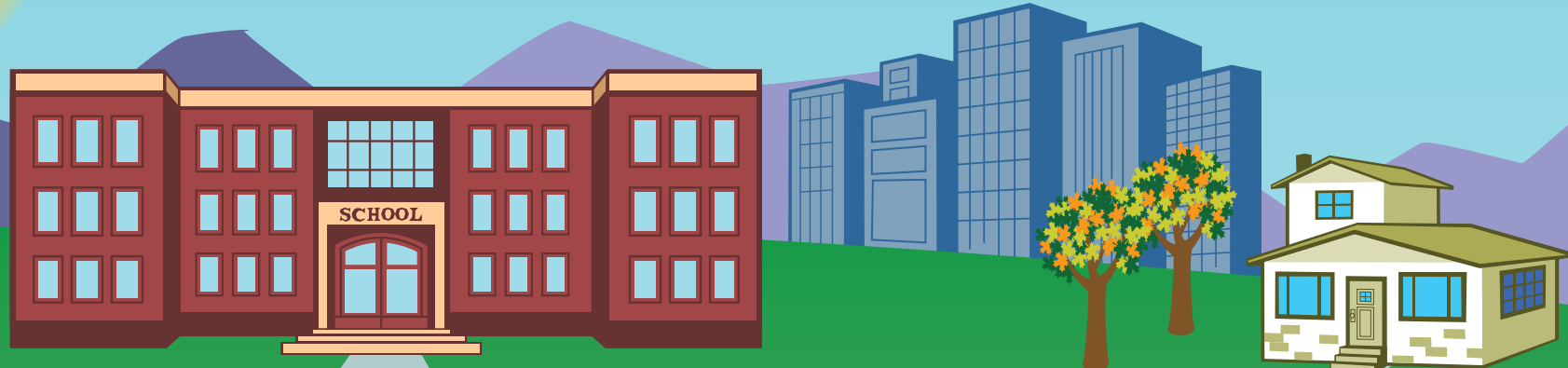
Summary: **Judicial Council sponsored legislation.** Revises the way a minor's competency to stand trial in delinquency proceedings is conducted, including who may raise questions regarding competency or request the appointment of experts. Requires the question of competency to be determined at an evidentiary hearing in most cases, and establishes the burden of proof and evidentiary standard for competency.

No author has yet been confirmed for this bill, although discussions are ongoing.

New  
websites

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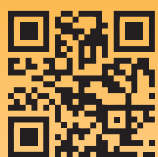


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JUDICIAL COUNCIL  
OF CALIFORNIA

OPERATIONS AND PROGRAMS DIVISION  
CENTER FOR FAMILIES, CHILDREN & THE COURTS

## Juvenile Law: Inter-County Transfers

### Agenda Item:

The Family and Juvenile Law Advisory Committee is currently considering a proposal to adopt a rule of court and Judicial Council form that address the inter-county transfer of nonminor dependent cases. The committee is also considering amending the rules and forms related to the inter-county transfer of juvenile cases to incorporate procedures that are used by the members of the SacJoaquin and Southern California protocols.

### Background:

The courts participating in the SacJoaquin protocol were the first to seek permission to use a modified version of form JV-550. About 7 years later, in 2015, the six courts involved in the Southern California pilot project requested and received approval to use a modified form JV-550. A major component of the Southern California protocol is its use of computer based file sharing to accomplish case file transfer. The six Southern California courts use a cloud-based web application called SharePoint to share contact information and court calendars. A cloud-based file sharing program called eCase eXchange is used to transfer case files between counties. Two of the Southern California courts are also using these systems in criminal cases and two are exploring use in AB 1058 child support cases. Riverside County maintains the eCase eXchange and will be demonstrating its use for the committee in conjunction with staff with the Los Angeles Superior Court. Highlights of these two information sharing systems are set forth below:

#### SharePoint:

- The website is an information repository for contact information for the courts and agencies, as well as court calendars;
- The information, which is presented in a tab format, is well organized and easily accessible;
- Judicial officers, court staff, and agencies have access to the website.

#### eCase eXchange

- This file sharing program allows for the electronic transfer of case files;
- This stand-alone software program can be used with any case management system, is very simple to use, and takes only minutes to transfer a file, in the form of a PDF, from one county to another;
- The program emails a notification to the clerk in the receiving county, alerting the clerk that a new case has been transferred. The program also sends a confirmation email to the clerk in the receiving county;
- The program also allows the clerk in the receiving county to electronically stamp each page of the PDF file with the new case number generated by the receiving county;
- The program allows the clerk to send the case file to the relevant agencies.