



RULES COMMITTEE

MINUTES OF OPEN VIDEOCONFERENCE MEETING

Wednesday, October 11, 2023

4:10 p.m. – 5:10 p.m.

Rules Committee Members Present:	Hon. Carin T. Fujisaki, Hon. Michelle Williams Court, Hon. Alin D. Cintean, Hon. Charles S. Crompton, Ms. Rachel W. Hill, and Mr. Charles Johnson.
Rules Committee Members Absent:	Ms. Kate Bieker, Hon. Maria D. Hernandez, Mr. Maxwell V. Pritt, and Hon. Erica R. Yew.
Rules Committee Staff Present:	Ms. Anne M. Ronan and Ms. Benita Downs
Advisory Bodies Staff Present	James Barolo, Kendal Hannon, Frances Ho, and Eric Long.
Other JC Staff Present	Audrey Fancy

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 4:10 p.m., and Ms. Downs took roll call.

DISCUSSION AND ACTION ITEMS (ITEMS 01 – 04)

APPELLATE

Item 01

Jointly with the Civil and Small Claims Advisory Committees

CEQA: New Projects and Fees for Expedited Review

The Appellate Advisory Committee and the Civil and Small Claims Advisory Committee recommend amending California Rules of Court for the expedited resolution of actions and proceedings brought under the California Environmental Quality Act, to implement new legislation requiring inclusion of “infrastructure projects” for streamlined review as well as the requirement that applicants of certain infrastructure projects pay the costs of the trial and appellate courts in adjudicating challenges to those projects.

Action: The committee unanimously approved the joint recommendation from the Appellate Advisory Committee and Civil and Small Claims Advisory Committees’, which is to go to the Judicial Council for action at the November council meeting.

CIVIL JURY INSTRUCTIONS

Item 02

Jury Instructions: Civil Jury Instructions (Release 44)

The committee reviewed a recommendation from the Advisory Committee on Civil Jury Instructions for approval of new and revised civil jury instructions, verdict forms, and user guide content prepared by the committee. Among other things, these changes bring the instructions up to date with developments in the law over the previous six months and add new instructions on implicit or unconscious bias and reasonable accommodation for pregnancy, childbirth, and related conditions. Upon Judicial Council approval, the instructions will be published in the official 2024 edition of the Judicial Council of California Civil Jury Instructions (CACI).

Action: The committee unanimously approved the Advisory Committee on Civil Jury Instructions recommendation, which is to go to the Judicial Council for action at the November council meeting.

Item 03

Recommend Rules Committee Action Only

Civil Jury Instructions: Instructions With Minor or Nonsubstantive Revisions (Release 44)

The committee reviewed a recommendation from the Advisory Committee on Civil Jury Instructions for final action by the Rules Committee for minor or nonsubstantive revisions to the Civil Jury Instructions (CACI), which the council has delegated authority to the Rules Committee to approve.

Action: The committee took final action in approving the minor and nonsubstantive revisions to the civil jury instructions.

PROTECTIVE ORDER WORKING GROUP

Item 04 (deferred until October 13) Will now be an action by email to allow members of the public to comment.

A D J O U R N M E N T

There being no further business, the meeting was adjourned at 4:27 p.m.

Approved by the committee on February 7, 2024.