



Judicial Council of California
Rules Committee

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RULES COMMITTEE

NOTICE AND AGENDA OF OPEN IN-PERSON MEETING

Open to the Public (Cal. Rules of Court, rule 10.75(c)(1) and (e))

THIS MEETING IS BEING RECORDED

Date: March 29, 2023
Time: 12:10 p.m. to 1:40 p.m.
Location: Videoconference
Public Audio Listen Only Link: <https://jcc.granicus.com/player/event/2679>

Meeting materials will be posted on the advisory body web page on the California Courts website at least three business days before the meeting.

Members of the public seeking to make an audio recording of the meeting must submit a written request at least two business days before the meeting. Requests can be e-mailed to [insert e-mail address].

Agenda items are numbered for identification purposes only and will not necessarily be considered in the indicated order.

I. OPEN MEETING (CAL. RULES OF COURT, RULE 10.75(C)(1))

Call to Order and Roll Call

Approval of Minutes

Approve minutes of the February 16, Rules Committee meeting.

II. PUBLIC COMMENT (CAL. RULES OF COURT, RULE 10.75(K)(1)-(2))

Written Comment

In accordance with California Rules of Court, rule 10.75(k)(1), written comments pertaining to any agenda item of a regularly noticed open meeting can be submitted up to one complete business day before the meeting. For this specific meeting, comments should be e-mailed to rulesmeetings@jud.ca.gov. Only written comments received by 12:00 p.m. on March 28 will be provided to advisory body members prior to the start of the meeting.

III. DISCUSSION AND POSSIBLE ACTION ITEMS (ITEMS 01–34)

JUDICIAL BRANCH ADMINISTRATION (2)

Item 01/SPR23-01

Judicial Branch Administration: Procedures for Submitting to Administrative Presiding Justices Contentions Regarding Administration of the Courts of Appeal (adopt rule 10.1014) (Required Action: recommend circulation for comment)

Presenters: Laura Speed and Michael Giden

Item 02/SPR23-02

Trial Courts: Exceptional Criminal Case Reporting (amend standard 2.2) (Required Action: recommend circulation for comment)

Presenter: Leah Rose-Goodwin

APPELLATE (5)

Item 03/SPR23-03

Appellate Procedure: Time for Electing and Filing an Appendix (amend Cal. Rules of Court, rules 8.124 and 8.845; revise forms APP-001-INFO, APP 010, APP-101-INFO, and APP-110; revoke forms APP-011 and APP-111) (Required Action: recommend circulation for comment)

Presenter: Christy Simons

Item 04/SPR23-04

Appellate Procedure: Remote Appearances at Oral Argument in the Appellate Division (revise rules 8.885 and 8.929) (Required Action: recommend circulation for comment)

Presenter: Christy Simons

Item 05/SPR23-05

Appellate Procedure: Attachment of Trial Court's Order to Petition for Review of Summary Denial of Writ Petition (amend rule 8.504) (Required Action: recommend circulation for comment)

Presenter: Kendall Hannon

Item 06/SPR23-06

Appellate Procedure: Forms for Extension of Time (revise forms APP-006, APP-106, CR-126, JV-816, JV-817) (Required Action: recommend circulation for comment)

Presenter: Christy Simons

Item 07/SPR23-07

Appellate Procedure: Notice of Appeal Forms (revise forms APP-002 and APP-102) (Required Action: recommend circulation for comment)

Presenter: Kendall Hannon

CIVIL (3)

Item 08/W23-03/ SPR23-08

Unlawful Detainer: Opportunities for Settlement Before Trial (adopt rule 3.2005; adopt forms UD-155) (Required Action: recommend circulation for comment)

Presenter: Eric Long

Item 09/SPR23-09

Civil Practice and Procedure: Form Revisions to Implement Senate Bill 1200 (Revise forms EJ-190, EJ-195, JUD-100, MC-012, MC-013-INFO, SC-130, SC-200, SC-220, SC-223, SC-224; revoke SC-220-INFO) (Required Action: recommend circulation for comment)

Presenter: Kendall Hannon

Item 10/SPR23-10

Unlawful Detainer: Forms to Reflect Existing Law and Implement Senate Bill 1017 and Assembly Bill 1726 (approve form UD 110P; revise forms SUM 130, UD 101, UD 105, UD 110, and UD 110S) (Required Action: recommend circulation for comment)

Presenter: James Barolo

CENTER FOR JUDICIAL EDUCATION AND RESEARCH (1)

Item 11/SPR23-11

Judicial Branch Education: Delivery Methods Defined (amend rule 10.493) (Required Action: recommend circulation for comment)

Presenters: Karen Alvarado and Jason Mayo

CRIMINAL (4)

Item 12/SPR23-12

Criminal Procedure: Appointment of Trial Counsel in Capital Cases (amend rule 4.117)
(Required Action: recommend circulation for comment)

Presenter: Sarah Fleischer-Ihn

Item 13/SPR23-13

Criminal Law: Circumstances in Aggravation (CR-101) (Required Action: recommend circulation for comment)

Presenter: Sarah Fleischer-Ihn

Item 14/W23-05/SPR23-34

Criminal Procedure: Petition for Resentencing Based on Health Conditions due to Military Service (revise form CR-412/MIL-412) (Required Action: recommend circulation for comment)

Presenter: Sarah Fleischer-Ihn

Item 15/SPR23-14

Criminal Procedure: Record Cleaning Forms (revise forms CR-180, CR-181, CR-400, CR 401, CR-402, CR-403, CR-409, CR 409 INFO, CR-430, CR-430-INFO, CR 431, and CR-432) (Required Action: recommend circulation for comment)

Presenter: Alex Bender

FAMILY AND JUVENILE LAW (7)

Item 16/SPR23-15

Family Law: Summary Dissolution Forms (revise forms FL-800 and FL-810; revoke form FL-820) (Required Action: recommend circulation for comment)

Presenter: Gabrielle Selden

Item 17/SPR23-16

Child Custody and Visitation Orders Involving Gender-Affirming Health Care (revise rule 5.151) (Required Action: recommend circulation for comment)

Presenter: Gabrielle Selden

Item 18/SPR23-17 (Withdrawn)

Family Law: Rule and Form Changes Under Senate Bill 1182 (adopt rule 5.252; revise form MIL-100) (Required Action: recommend circulation for comment)

~~Presenter: Gabrielle Selden~~

Item 19/SPR23-18

Family and Juvenile Law Implementation of Assembly Bill 2495 (amend rule 5.451; revise forms ADOPT-050-INFO, ADOPT-200, ADOPT-215, and ADOPT-310) (Required Action: recommend circulation for comment)

Presenter: Diana Glick

Item 20/SPR23-19

Juvenile Law: Psychiatric Residential Treatment Facility Voluntary Admission (adopt Cal. Rules of Court, rule 5.519; adopt forms JV-172, JV-173, JV-174, JV-175, JV-176, and JV-177) (Required Action: recommend circulation for comment)

Presenter: Kerry Doyle

Item 21/SPR23-20

Juvenile Dependency Law: Counsel Collections Program Guidelines (amend Appendix F) (Required Action: recommend circulation for comment)

Presenter: Daniel Richardson

Item 22/SPR23-21

Juvenile Law: Family Finding & Engagement (amend rules 5.637, 5.695, 5.790, and 5.810; JV-672) (Required Action: recommend circulation for comment)

Presenter: Joan Tillman

Item 23/SPR23-33

Child Support: Amendments to Family Code Section 4007.5 (revise forms FL-192, FL-490, FL-676, and FL-676-INFO) (Action required – recommend Judicial Council action)

Presenter: John Henzl

PROBATE (3)

Item 24/SPR23-22

Jointly with the Civil and Small Claims Advisory Committee and Family and Juvenile Law Advisory Committee

Civil Practice and Procedure: Appointment of Guardian ad Litem (adopt form CIV-010/FL-935; revise forms DE-350/GC-100 and DE-351/GC-101; revise form CIV-010 and renumber as CIV 010/FL 935; revoke form FL-935) (Required Action: recommend circulation for comment)

Presenter: Corby Sturges

Item 25 /SPR23-23 (Deferred until April 5)

~~**Probate Conservatorships: Need and Scope (AB 1663)** (GC 312, GC 325, GC 333, GC 334, GC 335, GC 335A, GC 380, and GC 385) (Required Action: recommend circulation for comment)~~

~~Presenter: Corby Sturges~~

Item 26/SPR23-24

Jointly with the Criminal Law Advisory Committee

Trial Courts: Reports of Determinations Affecting Voting Rights (AB 2841) (adopt rule 10.970; adopt form MC-600; approve form MC 600A) (Required Action: recommend circulation for comment)

Presenters: Corby Sturges and Sarah Fleischer-Ihn

Item 27/SPR23-25

Probate Conservatorship and Guardianship: Eligibility for County Payment of Cost of Appointed Counsel (amend Appendix E) (Required Action: recommend circulation for comment)

Presenter: Corby Sturges

PROTECTIVE ORDER (5)

Item 28/SPR23-26

Jointly with the Civil and Small Claims Advisory

Protective Orders: Updated Law Enforcement Information Form and New Forms for Continuances on Hearings to Renew (adopt forms CH 715, CH-716, EA-715, EA 716, SV-715, SV-716, WV-715, and WV-716; revise form CLETS-001) (Required Action: recommend circulation for comment)

Presenters: Frances Ho and James Barolo

Item 29/SPR23-27

Jointly with the Family and Juvenile Law Advisory Committee

Rules and Forms: Service Form to Implement Assembly Bill 2791 (adopt form SERVE-001) (Required Action: recommend circulation for comment)

Presenters: James Barolo and Frances Ho

Item 30/SPR23-28

Protective Orders: Revisions to Gun Violence Restraining Order Forms (adopt forms GV-715 and GV-716; revise forms EPO-002, GV-020, GV-020-INFO, GV-030, GV-100, GV-100-INFO, GV-109, GV-110, GV-115, GV-120, GV-120-INFO, GV-125, GV-130, GV-620, GV-700, GV 710, GV-730, GV-800, and GV 800 INFO) (Required Action: recommend circulation for comment)

Presenter: James Barolo

Item 31/SPR23-29

Domestic Violence: Form Changes to Implement New Laws (adopt forms DV-715 and DV-716; revise forms DV-100, DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-700, DV-700-INFO, DV-710, DV-720, DV-730, DV-800-INFO/JV-270-INFO, DV-840/FL-840, EPO 001) (Required Action: recommend circulation for comment)

Presenter: Frances Ho

Item 32/SPR23-30

Jointly with the Civil and Small Claims Advisory Committee

Protective Orders: Service Requirements after Remote Appearances (adopt rules 3.1162 and 5.496; revise forms CH-109, CH-130, EA 109, EA-130, EA-309, EA-330, SV-109, SV-130, WV-109, and WV-130) (Required Action: recommend circulation for comment)

Presenters: James Barolo and Frances Ho

TRAFFIC (1)

Item 33/SPR23-31

Traffic and Criminal Law: Notice to Appear Forms (rule 4.103; revise forms TR-130, TR 140, and TR INST; revoke forms TR-135 and TR-145) (Required Action: recommend circulation for comment)

Presenter: Jamie Schechter

TRIBAL COURT (1)

Item 34/SPR23-32

Indian Child Welfare Act (ICWA): Discretionary Tribal Participation (amend rules 5.482 and 5.530; adopt form ICWA-042) (Required Action: recommend circulation for comment)

Presenter: Ann Gilmour

IV. ADJOURNMENT

Adjourn